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MONTEREY, CALIFORNIA

THESIS

**ADMITTING SYRIAN REFUGEES: IS THE THREAT OF
ISLAMIC STATE INFILTRATION JUSTIFIED?**

by

Bryce E. Yost

June 2017

Thesis Advisor:
Second Reader:

Tristan Mabry
Anne Marie Baylouny

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INFILTRATION JUSTIFIED?**

Bryce E. Yost
Lieutenant, United States Navy
B.A., Old Dominion University, 2011

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Approved by: Tristan Mabry
Thesis Advisor

Anne Marie Baylouny
Second Reader

Mohammed Hafez
Chair, Department of National Security Affairs

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ABSTRACT

Millions of refugees have fled Syria because of directed violence from the Assad regime and by the Islamic State. The United States has a choice between admitting refugees to aid in human suffering, or to restrict Syrians based on security concerns. Humanitarian proponents believe the United States should increase resettlement to ease suffering and alleviate the migration crisis in the countries of first asylum. Security proponents believe insufficient vetting methods exist to prevent Islamic State operatives from entering the United States through the refugee program. This thesis evaluates the current U.S. refugee vetting policy against the humanitarian and security camps by examining the refugee experience and the refugee terrorist threat. This thesis concludes that there is no credible threat of Islamic State operatives infiltrating the U.S. refugee program, due to extensive vetting procedures already in place. Refugees have not committed any successful terrorist acts in the United States since the passage of the Refugee Act of 1980. The Islamic State remains a threat to Western populations, but fears of its infiltration through the refugee program are unrealistic. The Islamic State recruits Western operatives through electronic media, and risking exposure during the vetting process is unnecessary when easier means of access are available.

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LIST OF ACRONYMS AND ABBREVIATIONS

AQAM	Al Qaeda and Associated Movements
AQAP	Al Qaeda of the Arabian Peninsula
CARRP	Controlled Application Review and Resolution Process
CIA	Central Intelligence Agency
CLASS	Consular Lookout and Support System
DHS	Department of Homeland Security
DOD	Department of Defense
EU	European Union
HSC	Homeland Security Committee
IAFIS	Integrated Automated Fingerprint Identification System
INA	Immigration and Nationality Act
IS	Islamic State
ISIL	Islamic State of Iraq and Levant
ISIS	Islamic State of Iraq and Syria
NCTC	National Counterterrorism Center
PRM	(U.S. Department of State, Office of) Population, Refugees, and Migration
SAFE	Security Against Foreign Enemies
SECURE	Stop Extremists Coming Under Refugee Entry
TECS	Treasury Enforcement Communications System
UNHCR	United Nations High Commissioner for Refugees
USCIS	United States Citizenship and Immigration Services
USRAP	United States Refugee Admissions Program

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I. INTRODUCTION

There is no such thing as love of the human race, only the love of this person or that, in this time and not in any other. ... The problem is not to defend universality, but to give these abstract individuals the chance to become real, historical individuals again, with the social relations and the power to protect themselves. ... The people who have no homeland must be given one; they cannot depend on the uncertain and fitful protection of a world conscience defending them as examples of the universal abstraction Man....Woe betide any man who depends on the abstract humanity of another for his food and protection. Woe betide any person who has no state, no family, no neighborhood, no community that can stand behind to enforce his claim of need.

—Michael Ignatieff, *The Needs of Strangers*

More than five years of civil war in Syria resulted in an estimated 11 million refugees fleeing their homes into neighboring countries such as Turkey and Lebanon, or elsewhere in Syria.¹ European countries and the United States have committed to resettling a percentage of the refugee population in accordance with established guidelines for humanitarian aid. Of the 11 million displaced Syrians since the outbreak of war in 2011, neighboring countries such as Lebanon, Turkey, Egypt, Jordan, and Iraq have been struggling with 4.8 million of those refugees.² Europe is providing sanctuary for more than 500,000 of the remainder, leaving the international community looking toward the United States to ease the burden of the substantial unexpected population increase.³ The United States has admitted close to its cap of 75,000 refugees nearly every year, but appears reluctant to admit Syrians. The United States has admitted less than 1,000 Syrian refugees per year, with 356 in 2012, 798 in 2013, and 932 in 2014.⁴ By ignoring Syrians, the U.S. may be reinforcing terrorist ideology rooted in America's

¹European University Institute, "Syrian Refugees: A Snapshot of the Crisis—In the Middle East and Europe," Robert Schuman Centre for Advanced Studies, last modified September 2016, <http://syrianrefugees.eu>.

²Ibid.

³Ibid.

⁴Nadwa Mossaad, "Refugees and Asylees: 2014," U.S. Department of Homeland Security, Office of Immigration Statistics, April 2016, 6, https://www.dhs.gov/sites/default/files/publications/Refugees%20%26%20Asylees%20Flow%20Report%202014_508.pdf.

disdain for Muslims, increasing the propensity for refugees to join terrorist organizations. The United States has set a precedent for accepting refugees from all over the world with varying demographics, and may not be fulfilling its own standards or best interest by favoring certain groups over others.

The international rise of the Islamic State (IS, ISIL, or ISIS⁵) and its extreme behavior has further complicated the refugee policy because it enabled the organization to expand its attacks and ideology beyond the Syrian borders. Terrorist attacks and other illegal behavior committed by locals and foreign fighters with ties to the Islamic State that have occurred in Europe and the United States present challenges to policy makers, who must weigh the benefits of providing humanitarian assistance while maintaining national security. Current U.S. refugee policy encounters scrutiny from security-minded government agencies and individuals due to concerns of incomplete background information. Concerns arise over the judgment of refugee vetting procedures to determine whether the security measures are effective or ineffective in weeding out potential terrorists.

The Syrian civil war has been ongoing since the Arab Spring of 2011, with multiple belligerents siding with the Syrian government in the Syrian Arab Republic, and a coalition of belligerents supporting the Syrian Opposition.⁶ The forces in the opposition not only desire the removal of Syrian President Bashar al-Assad's regime from power, but also have conflicting goals for the outcome of the conflict. Among these groups is the Islamic State, proclaiming itself as the new caliphate and leader of all Muslims worldwide.⁷ With increased ferocity in attacks based on Jihadi-Salafism ideology both abroad as well as within Syria, the Islamic State seeks to garner support from newly

⁵The acronyms for the Islamic State have changed several times since the group's emergence. This thesis will refer to the group as the Islamic State or IS. Uses of the remaining acronyms ISIS and ISIL are limited to their reference in direct quotes, but are understood to refer to the same group.

⁶Brian Michael Jenkins, "The Dynamics of Syria's Civil War," RAND Corporation, 2014, 5–11, http://www.rand.org/content/dam/rand/pubs/perspectives/PE100/PE115/RAND_PE115.pdf.

⁷Adam Withnall, "Iraq Crisis: ISIS Declares its Territories a New Islamic State with 'Restoration of Caliphate' in Middle East," *Independent*, June 29, 2014, <http://www.independent.co.uk/news/world/middle-east/isis-declares-new-islamic-state-in-middle-east-with-abu-bakr-al-baghdadi-as-emir-removing-iraq-and-9571374.html>

recruited operatives to carry out attacks on western countries.⁸ Traditionally relying on print and social media to spread their message, the Islamic State uses the fleeing Syrian refugees as a smokescreen to infiltrate their operatives into Europe, embed within the local population, and conduct attacks in areas that would have previously been difficult due to heavy security restrictions.⁹ Multiple countries surrounding Syria as well as in Europe have reported IS operatives posing as Syrian refugees with false identification or gaining transport on migrant boats.¹⁰ Cases of Islamic State attacks have already occurred, carried out by operatives in Paris and Brussels, and will be discussed in a later section of the thesis.

In his 2016 Worldwide Threat Assessment of the U.S. Intelligence Community, Director of National Intelligence, James Clapper, listed terrorism from the Islamic State and Al Qaeda second in his listing of global threats to the United States, with the primary threat being cyber and technology vulnerabilities.¹¹ He cited the Islamic State's "increasing ability to direct and inspire attacks against a wide range of targets around the world. ISIL's narrative supports jihadist recruiting, attracts others to travel to Iraq and Syria, draws individuals and groups to declare allegiance to ISIL, and justifies attacks across the globe."¹² Director Clapper also emphasizes the record number of refugees and their capacity to "stress the capacity of host nations already dealing with problems relating to assimilation and possibly make displaced populations targets for recruitment by violent extremists."¹³

⁸Cole Bunzel, "From Paper State to Caliphate: The Ideology of the Islamic State," The Brookings Institution, The Brookings Project on U.S. Relations with the Islamic World, No. 19, March 2015, 7, <http://www.brookings.edu/~media/research/files/papers/2015/03/ideology-of-islamic-state-bunzel/the-ideology-of-the-islamic-state.pdf>.

⁹Homeland Security Committee, "Syrian Refugee Flows: Security Risks and Counterterrorism Challenges," November 2015, 3, https://homeland.house.gov/wp-content/uploads/2015/11/HomelandSecurityCommittee_Syrian_Refugee_Report.pdf.

¹⁰Ibid., 3.

¹¹James R. Clapper, "Worldwide Threat Assessment of the U.S. Intelligence Community," Statement for the Senate Armed Services Committee, February 9, 2016, 1–4.

¹²Ibid., 4.

¹³Ibid., 6.

The chief security concern for admitting Syrian refugees into the United States remains the lack of background information available to vet the refugees for entry. Numerous methods exist for collecting biometric data and interpersonal network connections for use by U.S. security agencies, though no thorough Syrian government database is available to exploit. Furthermore, the Assad regime has no interest in sharing any information that could possibly help the United States and European allies in resettling its displaced population. As FBI Assistant Director Michael Steinbach stated in a Hearing before the Senate Committee on Homeland Security and Governmental Affairs: “The concern in Syria is that we don’t have the systems in places on the ground to collect the information.... All of the data sets, the police, the intel services that normally you would go and seek that information [from], don’t exist.”¹⁴ Obtaining sufficient data to determine the appropriate security for the refugees remains a sticking point in the struggle to admit more legitimate refugees into the United States to support European counterparts. The lack of background information is similar to several other refugee situations, though recently the fears of terrorist infiltration seem to cause an emphasized concern.

Despite a vast geographic separation between the United States and the Middle East, the Islamic State has claimed responsibility for carrying out attacks on U.S. soil. Due to extensive recruiting by print and internet media, IS has succeeded in radicalizing Muslims already residing in America to carry out attacks on the homeland. Several terrorist attacks have occurred on U.S. soil since the formation of the Islamic State, but attacks specifically claimed by the group include the May 3, 2015, Curtis Culwell Center shooting in Garland, TX, and the June 12, 2016, Orlando, FL, night club shooting.¹⁵ Intelligence and law enforcement agencies have customized collection opportunities to scan social media for radical postings and chatter to thwart future attacks. Other attacks motivated by radical Islam but not directly tied to the Islamic State have occurred on U.S.

¹⁴Homeland Security Committee, “Syrian Refugee Flows,” 4.

¹⁵Terror Alert, “Full List of ISIS Attacks in US,” Last modified November 30, 2016, <http://terror-alert.com/news/full-list-of-isis-attacks-in-us?uid=28919>.

soil, furthering instances of American Islamophobia and driving citizens to criticize the acceptance of refugees from areas occupied by the Islamic State.

Due to the ongoing Syrian civil war and the horrific attacks on the civilian population by the regime of President Bashar al-Assad and terrorist groups like the Islamic State, growing numbers of Syrian refugees are overcrowding camps and cities in neighboring countries of first asylum. In search of safety and an opportunity to live a normal life, refugees are expanding into Europe on a grand scale, compounding a global refugee crisis which demands the attention and action by global leaders. Recent criminal activity and terrorist attacks in European countries leave the Department of Homeland Security wary of allowing large numbers of Syrian refugees into the U.S. without the ability to adequately check applicant backgrounds. Terrorist groups such as the Islamic State have shown ambition into infiltrating refugee flows, causing national security experts to question the strength of the current refugee screening process to ensure that terrorist operatives are unable to penetrate its vetting measures.

The mounting refugee crisis and the concerns for protecting national security have resulted in the following question: *What are the security risks associated with accepting Syrian refugees into the United States, and how is this affecting U.S. refugee policy with respect to national security?* To address the question, two schools of thought have come to light. While non-governmental organizations stress the humanitarian necessity for the acceptance of further numbers of refugees to provide asylum for suffering Syrians, security officials are concerned with the lack of adequate background information to ensure terrorists are not using the refugee program to gain access to American soil. By weighing the current policy for background checks, history of terrorist activity committed by resettled refugees, as well as additional necessary security requirements, a determination can be made concerning the adequacy of the current checks and the safety of admitting larger numbers of refugees.

A. LITERATURE REVIEW

The literature regarding the security concerns for the acceptance of refugees is organized in three categories; The current U.S. policy regarding the acceptance of

refugees and the vetting process undergone prior to resettlement, the humanitarian imperative to rescue larger numbers of refugees from areas of conflict and neglect, and the reluctance to allow entry of Syrian refugees based on possible incomplete data available and the desire of the Islamic State to infiltrate operatives to the West through refugee programs. Each category is explained in the following review.

1. Current Refugee Policy

The current refugee policy is grounded in the Immigration and Nationality Act, as well as the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 protocol. The Immigration and Nationality Act provides the definition of a refugee, and emphasizes the specific elements which must be present to obtain official refugee status for the United States.¹⁶ The United States and other signatories to the 1967 protocol have agreed to provide certain legal protections, assistance, and social rights to refugees.¹⁷ Signatories have agreed to ensure the safety of refugees by not returning them to a hostile homeland.¹⁸ The United States has made consistent commitments to resettling diverse groups of refugees based on adherence to the 1967 protocol. When determining the unique nature of refugees, regard for the undue hardships and violent forced displacement must be addressed to provide the proper context.

The U.S. Committee for Refugees and Immigrants outlines the specific steps of the process that a refugee must undergo in order to gain determination as a viable candidate and the extensive multi-departmental security review that takes place to properly vet a candidate¹⁹ The U.S. Citizenship and Immigration Services expand upon the guidelines described by the U.S. Committee for Refugees and Immigrants, providing additional information to the series of robust information databases that are used to

¹⁶Immigration and Nationality Act, § 101(a)(42), 8 U.S.C., § 1101 (1952).

¹⁷United Nations High Commissioner for Refugees, “The 1951 Refugee Convention Relating to the Status of Refugees and its 1967 Protocol,” United Nations, 2011, 1, <http://www.unhcr.org/about-us/background/4ec262df9/1951-convention-relating-status-refugees-its-1967-protocol.html>.

¹⁸Ibid., 4.

¹⁹United States Committee for Refugees and Immigrants, “Security Screening for Refugees Admitted to the United States: A Detailed and Rigorous Process,” 2016, <http://www.rcusa.org/uploads/pdfs/Refugee%20resettlement%20-%20step%20by%20step%20USCRI.pdf>.

screen each applicant, emphasizing the additional measures in place for Syrian candidates.²⁰

Amy Pope, the Obama Administration's Deputy Assistant to the President for Homeland Security, details the current vetting process by illustrating each step and vetting organization that is responsible for allowing only the most secure and most qualified applicants for resettlement.²¹ The U.S. House of Representatives, Committee on Homeland Security, testified in a Congressional hearing regarding the various domestic and international databases that are used by different governmental departments to cross-check applicants.²²

2. Humanitarian Case

Documentation on humanitarian necessity for refugee acceptance is centered on the ideal that the U.S. government is lacking in its commitment to resettle refugees on American soil, opting rather to provide humanitarian assistance by way of financial support to countries of first asylum. Considering the background information on the U.S. policy for refugees, the humanitarian case for expanding the acceptance of refugees is grounded in the moral commitment to the protection of displaced persons with regard to the increasing number of refugees living in deplorable conditions. Many U.S. Senators, at the request of numerous religiously backed organizations, have urged the White House to increase the number of refugees accepted for resettlement, citing a moral obligation to assist the large numbers of refugees that the neighboring countries cannot support.²³

²⁰U.S. Citizenship and Immigration Services, "Refugee Processes and Security Screening," Last modified December 3, 2015, <https://www.uscis.gov/refugeescreening>.

²¹Amy Pope, "Infographic: The Screening Process for Refugee Entry into the United States," The White House (blog), November 20, 2015, <https://www.whitehouse.gov/blog/2015/11/20/infographic-screening-process-refugee-entry-united-states>.

²²United States House of Representatives, Committee on Homeland Security, *Admitting Syrian Refugees: The Intelligence Void and the Emerging Homeland Security Threat, Hearing Before the Subcommittee on Counterterrorism and Intelligence, United States House of Representatives*, 114th Cong., 1st sess. (Washington, DC: GPO 114-22, 2015), 32.

²³Dick Durbin and Amy Klobuchar, Letter to the President, May 21, 2015, <http://www.rcusa.org/uploads/pdfs/members/Senate%20Syrian%20refugee%20resettlement%20letter%20to%20Obama%205.21.15.pdf>.

Andrew Shacknove discusses the importance of definitions for determination of who is, and who is not, a refugee. Delineated in the definition are the protections afforded by international refugee legislation, which also assumes limitations on evacuees or displaced persons who do not meet the established criteria or refugee designation.²⁴ The international refugee definition legislation, however, must be reasonably both narrow and broad, because states desire a reasonably narrow definition to restrict the number of refugees able to claim official refugee status.²⁵ Larger numbers of refugees place additional financial and humanitarian burdens on the host states, driving the desire for fewer numbers.

Human Rights First advocates for the protection of refugees and a renewal of efforts toward setting an example for our allied partners in the care and resettlement of refugees. The organization provides key recommendations for the return to the spirit and intent of the bipartisan Refugee Act of 1980.²⁶ The group advocates for greater levels of humane and reasonable treatment of refugee claimants, citing that current procedures cause unnecessary detention and undue hardships on the asylum seekers.²⁷

Aristide Zolberg, Astri Suhrke, and Sergio Aguayo examine the history of refugees, as well as the social conflicts that lead to refugee crises. They expand the definition of refugees through analysis of political regimes, economic strife, and global trends toward refugee flows, then provide recommendations for the international community to aid in the care and resettlement of refugees.²⁸

Jennifer Hyndman addresses the human aspect of refugees, and the inadequate response of refugee organizations and western governments to properly care for them. She describes the how donor governments classify refugees as more of a burden than a

²⁴Andrew E. Shacknove, "Who Is a Refugee?" *Ethics* 95, no. 2 (1985), <http://www.jstor.org.libproxy.nps.edu/stable/2380340>.

²⁵*Ibid.*, 277.

²⁶Human Rights First, "Renewing U.S. Commitment to Refugee Protection: Recommendations for Reform on the 30th Anniversary of the Refugee Act," March 2010, <https://www.hsd.org/?view&did=22158>.

²⁷*Ibid.*

²⁸Aristide R. Zolberg, Astri Suhrke, and Sergio Aguayo. *Escape from Violence: Conflict and the Refugee Crisis in the Developing World*, (New York: Oxford University Press, 1989), v-vi.

humanitarian necessity, resulting in a hands-off approach that keeps refugees in countries of first asylum instead of opting to resettle them.²⁹ This view comes into play with possible inflated security concerns in the United States leading to the reluctance to resettle refugees in America in favor of increasing humanitarian aid to regional refugee hosts.

Risks of increased violent political action in the form of demonstrations or association with terrorist organizations may increase as fighting-age refugees are left waiting in refugee camps in close proximity to the conflict area. Jack Goldstone discusses the propensity for youths to become involved in political movements and violence following a population change.³⁰ He emphasizes the importance of relocating the stagnant population of disillusioned fighting-age youths to reduce the propensity for violence.³¹ He specifically stresses the link between violence and the ability of an absorbing society to handle the large influx of displaced persons.³²

Refugee camps have shown to inadequately provide for long-term needs of the population they are meant to support. In a 2009 UN Human Development Research Paper, Bart de Bruijn researched protracted refugee camps in six countries: Tanzania, Uganda and Kenya, Nepal, Bangladesh, and Thailand.³³ His report outlines several key issues such as: legal protections, health, education, gender-related concerns, and food security, then compares conditions in camps against UN standards and the quality of life in host country populations.³⁴

²⁹Jennifer Hyndman, *Managing Displacement: Refugees and the Politics of Humanitarianism*, (Minneapolis: University of Minnesota Press, 2000), 2.

³⁰Jack A. Goldstone, "Demography, Environment, and Security: An Overview," in *Demography and National Security*, ed. Myron Weiner and Sharon Stanton Russell (New York: Berghahn Books, 2001), 47.

³¹*Ibid.*, 47.

³²*Ibid.*, 52.

³³Bart de Bruijn, "The Living Conditions and Well Being of Refugees," United Nations Development Programme, Human Development Research Paper 2009/25, July 2009, 11–46, http://hdr.undp.org/sites/default/files/hdrp_2009_25.pdf.

³⁴*Ibid.*

3. Security Concerns

Documentation concerning security, largely released by representatives of the U.S. government, is centered on the fear that Syrian refugees have direct or indirect ties to terrorist organizations such as the Islamic State. Though terrorism occurs for many causes outside those of radical Islam, much of the focus in the American understanding of terrorism stems from the 9/11 attacks, Al Qaeda, and the Islamic State. Christopher Hewitt discusses the history of terrorism in America, addressing the more recent attacks with roots in radical Islam, as well as homegrown terrorist from right wing extremists, revolutionary left wing movements, and terror movements based in race relations or religion.³⁵ His study shows the relatively low incidents of foreign terrorism, and the high incidents of terrorist violence from right-wing groups which is largely overlooked in the modern understanding of terrorism.³⁶ Martha Crenshaw evaluates common themes in terrorist motivations as both behaviors of the state and the goals of the organizations for which the state is oppressing as preconditions for terrorism.³⁷

Some researchers argue that American citizens are more likely to commit terror acts than actors from outside organizations. In a 2014 thesis, Kyle Recker concluded: “terrorism conducted by United States citizens, both native and naturalized, is the predominant form of terrorism in the United States.”³⁸ Additionally, in a report by the Institute for Homeland Security Solutions, Kevin Strom, et. al, advise homeland security officials to continue to pursue groups like Al Qaeda and associated movements (AQAM), but also to focus on homegrown groups, stating: “Less than half of U.S. terror plots

³⁵Christopher Hewitt, *Understanding Terrorism in America: From the Klan to Al Qaeda*, (New York: Routledge, 2003), 16–19.

³⁶*Ibid.*, 15.

³⁷Martha Crenshaw, “The Causes of Terrorism,” in *Comparative Politics*, Vol. 13, No. 4 (July 1981), 379–399.

³⁸Kyle Recker, “Citizenship and Terrorism: The Significance of a Pathway to Citizenship on Homeland Security” (master’s thesis, Naval Postgraduate School, 2014), v, <http://hdl.handle.net/10945/41434>.

examined had links to AQAM, and many non-AQAM plots, primarily those with white supremacist or anti-government/militia ties, rivaled AQAM plots in important ways.”³⁹

To focus on the threat of radical Islam and the fears of increased jihadist attacks on American soil, Daniel Byman details the rise of groups such as Al Qaeda and the Islamic State. Byman discusses jihadist fighters in the immediate regions of influence of the terror groups, and addresses the recruitment and radicalization of westerners to act in a “lone wolf” capacity in support for the cause.⁴⁰ Understanding the motivations behind jihadist groups such as IS provides valuable information as to their methods of operation and end-state goals. Due to the specific nature of the Islamic State’s disdain for western cultures and their overwhelming presence in Syria, fears of IS operatives infiltrating the refugee program abound.

The Homeland Security Committee addresses terrorist operatives gaining access to major European cities by the flows of refugees from war-torn Middle Eastern countries, providing a greater ease in infiltrating security measures that had not previously been available.⁴¹ Their concerns include relaxed travel restrictions in Europe, and the possibility that the Islamic State may try to exploit weaknesses in travel security.⁴²

In contrast to the belief that security measures should be stronger, Seth Jones of the RAND Corporation testified to the House Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, regarding the different active terrorist groups and their direct and indirect threat to U.S. national security. He specifically mentions the relatively low threat of any terrorist attacks by refugees, citing specific examples of ten refugees that have been involved with charges of terrorism, and

³⁹Kevin Strom et al., “Building on Clues: Examining Successes and Failures in Detecting U.S. Terrorist Plots, 1999–2009” (Research Triangle Park, NC: Institute for Homeland Security Solutions, 2010), 1.

⁴⁰Daniel Byman, *Al Qaeda, The Islamic State, and the Global Jihadist Movement: What Everyone Needs to Know*, (New York: Oxford University Press, 2015), 58.

⁴¹Homeland Security Committee, “Syrian Refugee Flows,” 3.

⁴²*Ibid.*, 6.

none of them have been from Syria.⁴³ Additionally, Alex Nowrasteh of the CATO Institute conducted a risk analysis of terrorist attacks and their relation to immigration between 1975 and 2015, determining the risk of an American perishing from a terrorist attack committed by a refugee as 1 in 3.64 billion per year.⁴⁴

Protracted refugee camps may foster terrorism rather than simply provide needs for displaced persons. Gil Loescher and James Milner also address the security concerns inherent in maintaining protracted refugee camps, calling attention to the greater propensity for regional instability and the recruitment of displaced persons into a life of crime or terrorism because of prolonged life in a refugee camp.⁴⁵ They charge donor governments with assisting refugees in repatriation, local integration, or resettlement of refugees to provide a lasting way of life outside of a refugee camp.⁴⁶

B. RESEARCH DESIGN

This research evaluates current refugee policy with respect to the likelihood of terrorist infiltration into the United States through the refugee program. Current policy regarding the vetting process for refugees, as well as commitment to international agreements are evaluated to determine if the United States is fulfilling the spirit and intent of the agreements. Humanitarian viewpoints are evaluated to stress the importance of the United States as a larger participant in the growing international refugee crisis. Security measures are evaluated to determine the likelihood that a terrorist operative may succeed in penetrating the selection process and security background screenings to gain entrance to American soil with the sole purpose to conduct an attack.

This research examines the terrorist attacks that have taken place in Europe as well as on American soil following the rise of the Islamic State, and the extent to which

⁴³Seth G. Jones, “The Terrorism Threat to the United States and Implications for Refugees” (Santa Monica, CA: RAND Corporation), June 24, 2015, 6–7, <http://www.rand.org/pubs/testimonies/CT433.html>.

⁴⁴Alex Nowrasteh, “Terrorism and Immigration: A Risk Analysis,” CATO Institute Policy Analysis, No. 798, September 13, 2016, 1, https://object.cato.org/sites/cato.org/files/pubs/pdf/pa798_1_1.pdf.

⁴⁵Gil Loescher and James Milner, “The Significance of Protracted Refugee Situations,” in *The Adelphi Papers*, vol. 45, no. 375, 2005, DOI: 10.1080/05679320500212098, 8.

⁴⁶*Ibid.*, 18.

those attacks were carried out by refugees. Resource material used to conduct this research are the policy documents related to the United States refugee program, government statements regarding the background check process, humanitarian documentation regarding the importance of swift refugee resettlement, news reporting on terrorist attacks after the Syrian conflict started, material on the motives and methods of jihadist terrorism, statistics on terror attacks committed by refugees, and testimony relating to the adequacy of current security measures. Weighing the cases presented by the humanitarian and the security camps against the actual terror attacks committed by refugees, this research determines the relative risk of the U.S. refugee program, and provides recommendations to improve policy, regardless of research outcomes.

C. CHAPTER OVERVIEW

Chapter II examines an overview of the current refugee policy, explained by the source documentation relating to the international commitments made to aid in the care and resettlement of refugees. This section addresses the current process for vetting refugees, and the databases that are used to ensure the viability of candidates for resettlement into the United States. This documentation serves as the baseline for American involvement in the global refugee crisis, and whether U.S. policy is consistent with the commitments that have been made to international partners.

Chapter III addresses the humanitarian necessity of the care and resettlement of refugees. Testimonies from non-government organizations and humanitarian experts are evaluated to stress the importance of refugee care and resettlement outside of the originating region. Conditions in refugee camps are discussed as they relate to the likelihood that poor conditions may lead to disillusioned, fighting-age refugees that may seek stability through joining a terrorist organization.

Chapter IV addresses the security concerns regarding the inability to gather complete data on candidates for resettlement into the United States. Information on the motives of terrorism, American attacks conducted by groups other than those with Islamic jihadi background, and the threat specifically posed by the Islamic State are discussed. Terror attacks carried out by resettled refugees are examined to explain the

likelihood, or lack thereof, regarding the threat of refugees in carrying out terrorist attacks. Security concerns are raised concerning the dangers in protracted refugee camps, and how that may influence fighting-age refugees to join terrorist activity, posing greater threat to U.S. national security. Humanitarian assistance in the form of resettlement as well as providing funds and supplies to regional partners are examined.

Chapter V provides a conclusion based on the information contrasted from the three examined aspects. Recommendations are offered from the two major options posed to policymakers: 1) Resettle larger numbers of refugees to aid in the humanitarian crisis and reduce the number of potential terrorist recruits, or 2) Restrict refugee resettlement based on the extremely slight chance that a terrorist may infiltrate the program, ignoring refugee plight while bolstering security.

II. REFUGEE ADMISSIONS

A. CURRENT POLICY

To evaluate the security concerns for the acceptance of Syrian refugees, the current policy for accepting refugees must be examined. The 1951 United Nations Convention Relating to the Status of Refugees was written in response to the large number of refugees in Europe following World War II and formed the basis of the modern understanding of refugees. The United States is not a signatory to the 1951 Convention, but did ratify the 1967 protocol. The Convention defines a refugee as follows:

As a result of events occurring before 1 January 1951, and owing to well-founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality and is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to return to it.⁴⁷

The 1967 protocol retains most of the 1951 Convention definition, however it omits the text binding refugee status to events occurring before January 1, 1951, and related follow-on text.⁴⁸

The current U.S. refugee policy is grounded in the Immigration and Nationality Act, which draws from the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 protocol. The Immigration and Nationality Act (INA) similarly defines a refugee as:

Any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to

⁴⁷UN General Assembly, Draft Convention Relating to the Status of Refugees, 14 December 1950, A/RES/429, Article I A(2), <http://www.refworld.org/docid/3b00f08a27.html>.

⁴⁸United Nations High Commissioner for Refugees, Protocol Relating to the Status of Refugees, January 31, 1967, Article 1, Paragraph 2, 46, <http://www.unhcr.org/en-us/protection/basic/3b66c2aa10/convention-protocol-relating-status-refugees.html>.

return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.⁴⁹

The United States and other signatories have agreed to provide legal protections, assistance, and social rights to refugees according to the provisions of the 1967 protocol to the 1951 Convention.⁵⁰ Some of these rights and protections include unobstructed travel through the country of resettlement, access to education, housing, public relief and assistance, and the right to work.⁵¹ Within the guidelines of the United Nations convention in Article 33, the signatories are bound to a principle of non-refoulement, declaring, “No contracting state shall expel or return (*‘refouler’*) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”⁵² Though a refugee may desire to return to their homeland when hostilities have ceased, protracted civil wars or other conflicts may prevent the return from occurring, resulting in a permanent residency, and ultimately citizenship, through the host country.

The Immigration and Nationality Act has been amended several times since its 1952 provisions. In 1965, restrictions were removed on preferences for national origin and wage restrictions, though refugees were still listed as the last category of preference for entry.⁵³ In 1990, restrictions were lifted to increase diversity and overall immigrant numbers, though no significant changes were made regarding refugees.⁵⁴ Title 8 of the Federal Code of Regulations specifies the procedures for immigration, with specific provisions for refugees seeking resettlement in the United States. These regulations

⁴⁹Immigration and Nationality Act, § 101(a)(42), 8 U.S.C., § 1101 (1952).

⁵⁰United Nations High Commissioner for Refugees, “The 1951 Refugee Convention Relating to the Status of Refugees and its 1967 Protocol,” United Nations, 2011, 1, <http://www.unhcr.org/about-us/background/4ec262df9/1951-convention-relating-status-refugees-its-1967-protocol.html>.

⁵¹*Ibid.*, 4.

⁵²*Ibid.*, 30.

⁵³Immigration and Nationality Act, § 203(a)(7), 8 U.S.C., § 1153, (1965).

⁵⁴Immigration and Nationality Act, § 131(c)(1), (1990).

outline eligible refugees, processing requirements, wait listing, determinations of allowable refugee numbers, and the termination of refugee status.⁵⁵ After resettlement, refugees have one year to apply for permanent residence, then are encouraged to apply for full citizenship after a residency period of five years.⁵⁶

The president outlines refugee policy and goals annually, by submitting a consultation document to Congress to outline the refugee policy pursuant to section 207(d)(1) and (e) of the Immigration and Nationality Act, which states:

Before the start of each fiscal year the president shall report to the Committee on the Judiciary of the House of Representatives and of the Senate regarding the foreseeable number of refugees who will be in need of resettlement during the fiscal year and the anticipated allocation of refugee admissions during the fiscal year.⁵⁷

Depending on the global number of refugees within a given year and any emerging humanitarian crises, the president may seek to increase or decrease the allowance. Due to the ongoing civil war in Syria and the millions of refugees that have fled to neighboring countries and into Europe, President Obama requested and received additional allowance in fiscal year 2016.

The Department of Homeland Security's Immigration statistics show that refugees seek asylum within the United States from 61 known countries, with the largest numbers of refugees between 2005 and 2014 fleeing from Burma, Iraq, Bhutan, Somalia, and Cuba, respectively.⁵⁸ The United States remains committed to accepting refugees to fulfill humanitarian obligations to the refugees as well as to the many other countries that share in the endeavor. Through the past three years, the United States has accepted nearly the entire authorized cap of 70,000 refugees per year, with 69,933 in 2015, 69,987 in 2014, and 69,926 in 2013, demonstrating its commitment to the global humanitarian

⁵⁵Title 8, Code of Federal Regulations, § 207, 8 U.S.C., § 1522, Amended June, 13, 2003.

⁵⁶Title 8, Code of Federal Regulations, § 209.1, 8 U.S.C., § 1522, Revised July, 6, 1998.

⁵⁷Immigration and Nationality Act, § 207(d)(1), 8 U.S.C., § 1157 (2013).

⁵⁸Department of Homeland Security, Yearbook of Immigration Statistics: 2014 Refugees and Asylees, Table 14, <https://www.dhs.gov/yearbook-immigration-statistics-2014-refugees-and-asylees>.

cause.⁵⁹ Of the admitted Syrian refugees since their civil war started in 2011, the U.S. has resettled 29 in 2011, 31 in 2012, 36 in 2013, 105 in 2014, 1,682 in 2015, and 10,740 in 2016 as of August 31.⁶⁰ In comparison, Germany has pledged 43,431 availabilities for Syrians, and the remainder of European Union countries have pledged 51,205 availabilities.⁶¹ Australia pledged to resettle an additional 12,000 Syrian refugees, nearly doubling their previous annual total cap of 13,750.⁶²

Based on the severity of the global refugee crisis, President Obama requested Congressional approval for an additional 10,000 Syrian refugees and an additional 5,000 refugees from other countries in fiscal year 2016, raising the total number of refugees resettled in the U.S. from 70,000 to 85,000.⁶³ The U.S. surpassed the stated goal of resettling 50% of the United Nations High Commissioner for Refugees (UNHCR) referred refugees for resettlement in the United States by resettling 67% of the global total in 2014.⁶⁴ In addition to resettling refugees, the U.S. has been the greatest single financial donor to the UNHCR, giving \$1.28 billion in fiscal year 2014.⁶⁵

B. ADMISSIONS AND VETTING PROCESS

The Executive Branch relies on the U.S. Refugee Admissions Program (USRAP), organized through the U.S. Department of State's Bureau of Population, Refugees, and Migration (PRM), to oversee the refugee admissions process. The USRAP consists of several governmental and non-governmental partners that work closely with UNHCR in

⁵⁹U.S. Department of State, Refugee Admission Statistics, last modified December 31, 2015, <http://www.state.gov/j/prm/releases/statistics/>.

⁶⁰U.S. Department of State: Bureau of Population, Refugees, and Migration, Summary of Refugee Admissions as of 31-Aug-2016, Retrieved from: http://www.wrapsnet.org/Portals/1/arrivals/arrivals_fy_2013/Refugee_Admissions_Report_2016_08_31.xls?ver=2016-09-06-090023-860.

⁶¹Amnesty International, "Syria's Refugee Crisis in Numbers," Last modified December 20, 2016, <https://www.amnesty.org/en/latest/news/2016/02/syrias-refugee-crisis-in-numbers/>.

⁶²Hilary Whiteman, "Australia to Take 12,000 Refugees, Join Coalition Airstrikes in Syria," *Cable News Network*, last modified September 9, 2015, <http://www.cnn.com/2015/09/09/asia/australia-refugees-syria-airstrikes/index.html>.

⁶³U.S. Department of State: Bureau of Population, Refugees, and Migration, Report to the Congress, "Proposed Refugee Admissions for Fiscal Year 2016," October 1, 2015, iii-iv, <http://www.state.gov/documents/organization/247982.pdf>.

⁶⁴*Ibid.*, 3.

⁶⁵*Ibid.*

receiving the applications for resettlement and guides applicants through the entire process, from identifying candidates, administrative processing, security screening, and eventually travel and resettlement.⁶⁶ USRAP reviews the global refugee situation, determines the U.S. level of involvement for resettlement, and evaluates the humanitarian need for U.S. intervention.⁶⁷ USRAP prioritizes refugees into one of three groups: “Priority 1 – Individual cases referred to the program by virtue of their circumstances and apparent need for resettlement; Priority 2 – Groups of cases designated as having access to the program by virtue of their circumstances and apparent need for resettlement; Priority 3 – Individual cases from designated nationalities granted access for purposes of reunification with family members already in the United States.”⁶⁸

The U.S. Committee for Refugees and Immigrants and the Deputy Assistant to the President for Homeland Security outline the specific steps of the process that a refugee must undergo to gain determination as a viable candidate and the extensive multi-departmental security review that takes place to properly vet a candidate.⁶⁹ A complete background check through all available information and biometric databases maintained by several key government agencies is completed and continually reexamined before the refugee is selected for resettlement and eventually transported to the U.S.

Many agencies are involved in collecting and sharing information to ensure that the right people are gaining lawful entry into the United States, taking full advantage of the limited information that is available. After fleeing the hostile territory and establishing refugee status in a country of first asylum through the United Nations High Commissioner for Refugees (UNHCR), all available biodata and personal information is

⁶⁶U.S. Citizenship and Immigration Services, “The United States Refugee Admissions Program (USRAP) Consultation & Worldwide Processing Priorities,” Last Modified May 5, 2016, <https://www.uscis.gov/humanitarian/refugees-asylum/refugees/united-states-refugee-admissions-program-usrap-consultation-worldwide-processing-priorities>.

⁶⁷Ibid.

⁶⁸U.S. Department of State: Bureau of Population, Refugees, and Migration, “Proposed Refugee Admissions,” 6.

⁶⁹United States Committee for Refugees and Immigrants, “Security Screening for Refugees Admitted to the United States,” 2016, <https://static1.squarespace.com/static/577d437bf5e231586a7055a9/t/57a24d23893fc0eb3919ad0f/1470254386734/USCRI+Security+Screening+Process+%285.16.16%29.pdf>.

collected about the applicant along with iris scans and other biometrics.⁷⁰ The UNHCR then conducts interviews to determine refugee status, and forwards only the strongest candidates for resettlement, amounting to “less than 1 percent of the global refugee population.”⁷¹ Following the review and collection of information from the UNHCR, the applicant’s information is sent to the United States for security review while the applicant remains outside United States territory.

After receiving the refugee application at the Resettlement Support Center, a file is created for the potential asylee and information is collected for biographic security review.⁷² Multiple U.S. security agencies such as the National Counterterrorism Center (NCTC), Intelligence Community, Federal Bureau of Investigation (FBI), Department of Homeland Security (DHS), and the State Department screen the candidate for indicators that would cause security concerns such as membership in networks with recognized terrorist members or other legal and criminal concerns.⁷³ Syrian cases are further scrutinized for fraud detection by DHS and USCIS.⁷⁴ Additional checks are conducted through the U.S. Department of State’s Security Advisory Opinion, placing supplementary measures in place for high-risk candidates with issues such as multiple variations in name or spelling.⁷⁵ Further interviews are conducted by USCIS to determine validity of the candidate and to vet the applicant for legal U.S. admissibility.⁷⁶

During additional review, “an applicant’s biographic information and biometric information are vetted against multiple law enforcement and intelligence databases including the State Department’s Consular Lookout and Support System (CLASS), which includes the Government’s terrorist watch list information, the Federal Bureau of

⁷⁰Pope, “Infographic: The Screening Process.”

⁷¹Ibid.

⁷²Ibid.

⁷³Ibid.

⁷⁴United States Committee for Refugees and Immigrants, “Security Screening for Refugees Admitted to the United States.”

⁷⁵U.S. Citizenship and Immigration Services, “Refugee Processes and Security Screening,” Last modified December 3, 2015, <https://www.uscis.gov/refugeescreening>.

⁷⁶United States Committee for Refugees and Immigrants, “Security Screening for Refugees Admitted to the United States.”

Investigation (FBI) Integrated Automated Fingerprint Identification System (IAFIS), and DHS's Automated Biometric Identification System (IDENT)."⁷⁷ CLASS also contains information in other databases such as: "National Counterterrorism Center/Terrorist Screening Center, the Treasury Enforcement Communications System (TECS), Interpol, Drug Enforcement Administration, Health and Human Services, and FBI extracts of the National Crime Information Center's Wanted Persons File, Immigration Violator File, Foreign Fugitive File, [and the] Violent Gang and Terrorist Organization File."⁷⁸ Fingerprints are also run through the Department of Defense's Automated Biometric Identification System, which contains biographic information collected from Iraq.⁷⁹ If any anomalies arise from information previously recorded throughout the multi-agency screening, the entire security screening process repeats to reveal any new information through USCIS's Controlled Application Review and Resolution Process (CARRP).⁸⁰

Following a successful screening through each of the aforementioned agencies' databases, the Department of Homeland Security conducts interviews through USCIS and collects biometric data.⁸¹ USCIS interviewers are specifically trained in fraud detection, applicant credibility, refugee inadmissibility, refugee law, and country conditions from which the refugees fled.⁸² Fingerprints will be taken during the interview, and compared against databases for the FBI, DHS watch lists and immigration data, and Department of Defense (DOD).⁸³ If any security concerns have arisen through these checks, the member will be rejected from consideration. A medical screening will take place for members without security concerns, and certain curable illnesses will be treated before entry into the United States.⁸⁴ Cultural orientation classes will be offered to the prospective

⁷⁷United States House of Representatives, Committee on Homeland Security, *Admitting Syrian Refugees*, 32.

⁷⁸U.S. Citizenship and Immigration Services, "Refugee Processes and Security Screening."

⁷⁹United States Committee for Refugees and Immigrants, "Security Screening for Refugees Admitted to the United States."

⁸⁰U.S. Citizenship and Immigration Services, "Refugee Processes and Security Screening."

⁸¹Pope, "Infographic: The Screening Process."

⁸²U.S. Citizenship and Immigration Services, "Refugee Processes and Security Screening."

⁸³Pope, "Infographic: The Screening Process."

⁸⁴*Ibid.*

members to prepare them for entry into American society, and a proper location will be selected for them by a Non-Governmental Organization based on previously settled family members and any geographically relevant health concerns.⁸⁵ Following the aforementioned security checks, the members will have travel arranged for entry into the U.S.

The International Organization for Migration arranges the travel to the United States, and the member is screened through the U.S. Customs and Border Protection's National Targeting Center passenger list as well as the Transportation Security Administration's Secure Flight Program.⁸⁶ Throughout the entire process, any indication of a security concern in any of the databases will result in process suspension until the security issue has been clarified. At this phase, the cleared refugees will arrive in the United States, and will have a year to apply for their green card, initiating a subsequent set of security checks by the U.S. government.⁸⁷ Refugees are vetted for security with more scrutiny than any other person trying to enter the United States.

With the understanding of the extensive background checks that refugees encounter before they arrive in the U.S., citizens can begin to understand the depth and scope of the features that security professionals possess to scrutinize the refugee candidates. Though various biometric and family data points are examined, certain gaps in intelligence exist based on incomplete records held or released by Syrian institutions. U.S. refugee policy is designed to provide vital humanitarian assistance to the people that most require it, and U.S. security agencies strive to resettle as many refugees as possible while ensuring that critical security concerns are assuaged.

⁸⁵Pope, "Infographic: The Screening Process."

⁸⁶Pope, "Infographic: The Screening Process"; U.S. Citizenship and Immigration Services, "Refugee Processes and Security Screening."

⁸⁷Ibid.

III. HUMANITARIAN CASE

Research on the humanitarian necessity for refugee acceptance is centered on the ideal that the U.S. government is lacking in its commitment to resettle Syrian refugees on American soil, opting instead to provide humanitarian assistance by way of financial support to countries of first asylum. The humanitarian case for expanding the acceptance of refugees is grounded in the moral commitment to the protection of displaced persons with regard to the increasing number of refugees living in meagre conditions. This chapter will examine the importance of refugee status, conditions in refugee camps, the limited benefit of aiding from a distance, if states have the right to exclude certain people from entry, and how to move forward in providing the appropriate aid.

Syrian asylum seekers constituted 9.4% of the global total in 2013, composing 56,400 requests, and representing the largest share of any country of the total 200 countries or territories reporting.⁸⁸ In 2014, Syrian requests increased 166% to 149,600, representing 17.8% of the global total.⁸⁹ In 2013, 1,546 Syrians applied for asylum in the United States.⁹⁰ Total asylum applications to the United States in 2014 was 121,160, second only to Germany with 173,070 requests.⁹¹ Syrian-specific requests to the United States were not provided in the 2014 UNHCR report. Large numbers of Syrian refugees awaiting resettlement in camps within countries of first asylum present a different range of challenges that may be considered by policy makers when considering the ratio of financial aid provisions versus resettlement approvals.

⁸⁸UNHCR, “Asylum Trends 2013: Levels and Trends in Industrialized Countries,” last accessed January 12, 2017, 17, <http://www.unhcr.org/en-us/statistics/unhcrstats/5329b15a9/asylum-levels-trends-industrialized-countries-2013.html>.

⁸⁹UNHCR, “Asylum Trends 2014: Levels and Trends in Industrialized Countries,” last accessed January 12, 2017, 23, <http://www.unhcr.org/en-us/statistics/unhcrstats/551128679/asylum-levels-trends-industrialized-countries-2014.html>.

⁹⁰UNHCR, “Asylum Trends 2013: Levels and Trends,” 29.

⁹¹UNHCR, “Asylum Trends 2014: Levels and Trends,” 20.

A. WHY DO DEFINITIONS MATTER?

Status as a refugee holds a great deal of weight for international agreements concerning the level of aid afforded to those claiming refugee status. Reviewing from the earlier definition from the Immigration and Nationality Act, the key terms in refugee definition are: “outside any country of such person’s nationality ... unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country ... because of persecution or a well-founded fear of persecution.”⁹² Refugees have lost the ability to claim political goods from their government, and thus, rely on special humanitarian aid to survive.

Irrespective of governance system, citizens trust their state for the provision of reasonable political goods. As Andrew Shacknove states, “In exchange for their allegiance, citizens can minimally expect that their government will guarantee physical security, vital subsistence, and liberty of political participation and physical movement.”⁹³ By fleeing the homeland which has failed to provide basic goods, the refugee bravely accepts statelessness in search of necessary assistance to acquire the basic needs of life and decency.⁹⁴ Shacknove argues that the internationally accepted definition of a refugee holds significant importance because “states reason in reverse from their fear that they will be forced to shoulder the burden of assisting refugees unilaterally to a narrow conception of refugeehood [sic] which limits the number of claimants.”⁹⁵ The Syrian refugees fleeing the civil war into neighboring countries of first asylum meet all of the criteria enforced by UNHCR, and therefore warrant consideration of the countries committed to protection of the stateless disadvantaged. Denying access to certain refugees based on loosely linked security concerns, simply because the country they are fleeing is an area controlled by a terrorist group such as ISIS, or because they are Muslim, contradicts more than 70 years of U.S. precedent in refugee resettlement as well as internationally-recognized agreements to humanitarian assistance.

⁹²Immigration and Nationality Act, § 101(a)(42), 8 U.S.C., § 1101 (1952).

⁹³Shacknove, “Who Is a Refugee?” 281.

⁹⁴Ibid., 283.

⁹⁵Ibid., 277.

Frequently, countries of first asylum may be ill-equipped to handle such large inflows of refugees, though as the UN Security Council resolved in 1998, the “primary responsibility of States hosting refugees [is] to ensure the security and civilian and humanitarian character of refugee camps and settlements in accordance with international refugee, human rights, and humanitarian law.”⁹⁶ Countries like Lebanon, which are hosting over 1.5 million Syrian refugees, are struggling to provide care for the refugees in addition to providing goods to their own citizens, and fear that large numbers of refugees may attract terrorists.⁹⁷ Lebanese schools are having difficulty in providing education to Lebanese and Syrian students, with almost 250,000 Syrian children in Lebanon out of school.⁹⁸ As a result, the Lebanese Education Ministry had to “introduce two-shift school days in the public education system. The first shift is for Lebanese students, and it is open for Syrian students if there is space. The second shift, which starts between 2:00 and 2:30 p.m., is only for Syrian children.”⁹⁹ Without education, the children will have little opportunity to provide economically, and may be drawn to terror groups as a means of survival.

Zolberg, Suhrke, and Aguayo expand the definition of refugees through the different iterations of international refugee crises through analysis of political regimes, economic strife, and global trends toward refugee flows.¹⁰⁰ The ability to claim refugee status imparts a privileged level of protection from the host country and the international community, which therefore places specific importance on which people meet the criteria for protection.¹⁰¹ Refugees are not simply choosing to relocate based on voluntary decisions, but rather, “Movement is most clearly involuntary when it is forced -- that is,

⁹⁶UN Security Council Resolution, S/RES/1208, November 19, 1998, 2.

⁹⁷Olivia Alabaster, “Syrian Refugees: Between War and Crackdown in Lebanon,” *Al Jazeera*, November 4, 2016, <http://www.aljazeera.com/indepth/features/2016/11/syrian-refugees-war-crackdown-lebanon-161102173130178.html>.

⁹⁸Jessica Brandt and Robert L. McKenzie, “Addressing the Syrian Refugee Crisis: Recommendations for the Next Administration,” The Brookings Institution, December 16, 2016, <https://www.brookings.edu/research/addressing-the-syrian-refugee-crisis-recommendations-for-the-next-administration>.

⁹⁹*Ibid.*

¹⁰⁰Zolberg, Suhrke, and Aguayo, *Escape from Violence*.

¹⁰¹*Ibid.*, 3.

when it occurs as a response to life-threatening violence, exercised by an agent or occurring as a by-product of circumstances. Violence includes both clear and immediate physical violence, and coercive circumstances that have similarly threatening effects.”¹⁰² Syrian refugees clearly meet the criteria established by the UNHCR, fleeing Syria to escape civil war and President Bashar al-Assad’s use of violence and chemical weapons directed upon the civilian population.¹⁰³ It is important to note that Syrian refugees are fleeing their country because of direct violence upon them at the hands of their government leadership as well as by fighters of the Islamic State. Their migration is not merely for convenience or economic opportunity, but rather for survival.

Refugees have risked everything to flee violence and oppression, and have suffered greatly at the hands of the state that had been responsible for providing their needs. When considering the case for resettling larger numbers of refugees, policymakers should consider that refugees are in a very dangerous position, literally running for their lives. Refugees contend with psychological effects such as Post-Traumatic Stress Disorder (PTSD) and depression, as well as a lack of medical care and educational opportunities, and increased probabilities of domestic violence and sex trafficking.¹⁰⁴ In ignoring the plight of refugees, failing to provide political goods and security to them in asylum, “It leads to the radicalization and militarization of the displaced, and causes host countries to disregard their own obligations toward refugees, thereby causing even more radicalization.”¹⁰⁵ Inaction by wealthy countries in providing aid and resettling refugees only compounds the security problem, concentrating refugees in deplorable conditions with limited peaceful options. Options for policy-makers would therefore fall into two categories: resettle more refugees and benefit from their economic contributions and

¹⁰²Zolberg, Suhrke, and Aguayo, *Escape from Violence*, 31.

¹⁰³Josie Ensor, “UN Proves Assad Regime Dropped Chemical Bombs on Civilians,” *The Telegraph*, August 25, 2016, <http://www.telegraph.co.uk/news/2016/08/25/un-proves-assad-regime-dropped-chemical-bombs-on-civilians/>.

¹⁰⁴Michele R. Pistone and John J. Hoeffner, “Unsettling Developments: Terrorism and the New Case for Enhancing Protection and Humanitarian Assistance for Refugees and Internally Displaced Persons, Including Victims of Natural Disasters,” *Columbia Human Rights Law Review*, Vol. 42, November 1, 2011; Villanova Law/Public Policy Research Paper No. 2011–19, last modified January 15, 2012, 627–632, <https://ssrn.com/abstract=1961789>.

¹⁰⁵*Ibid.*, 666.

knowledge while reducing the likelihood of creating potential terrorists in a protracted refugee camp, or aid from a distance.

B. CONDITIONS IN CAMPS

Life in overcrowded refugee camps has severe negative effects on refugees, especially in protracted situations. Due to limited resources and cramped living conditions, refugees often struggle with legal assistance, sexual violence, malnutrition, water and sanitation concerns, as well as the lack of healthcare, education opportunities, and economic earning potential.¹⁰⁶ The unavailability of basic needs for life and legal means of proving citizenship for refugee status place many people in uncertain conditions where they may be willing to do nearly anything for survival. Each of the listed hardships will be expanded to demonstrate their individual and collective importance for providing a way of life for refugees that have left everything behind due to their threatened survival.

To illustrate the conditions in refugee camps, this thesis will draw information from a UN Human Development Research Paper, written by Bart de Bruijn in 2009. This study evaluates living conditions and refugee issues through studying protracted refugee camps in six countries: Tanzania, Uganda, Kenya, Nepal, Bangladesh, and Thailand. The study examines “legal protection, gender-related issues, food security and nutritional status, health, education, and refugee livelihoods and coping strategies,” by conducting comparing results against UNHCR standards as well as comparing the refugee conditions to host country populations and the populations of the country from which the refugees have escaped.¹⁰⁷ This study will be referenced extensively as a key document to examine each of the aforementioned factors and clarify the conditions faced by refugees in protracted camp situations.

Legal assistance is important for refugees for proving citizenship, especially for infants that were born during or after the time that the refugee family fled their homeland. Birth certificates are required to be issued by the host country to 100% of newborns per

¹⁰⁶Bart de Bruijn, “The Living Conditions and Well Being of Refugees,” United Nations Development Programme, Human Development Research Paper 2009/25, July 2009, 11–46, http://hdr.undp.org/sites/default/files/hdrp_2009_25.pdf.

¹⁰⁷Ibid., abstract.

the UNHCR standard, and remain important to establish nationality, prove the relationship of the child to its parents, as well as to establish an accurate age for education, employment records, and possible military service.¹⁰⁸ In the report, “slightly more than one third of refugee camps reported that all newborns were issued with birth certificates, while 3 out of 10 camps reported that none of the newborns were provided with a certificate.”¹⁰⁹ The lack of legal assistance may force refugees to find means of obtaining false or counterfeit documentation and lead to further complications when attempting to find resettlement or to return home when hostilities have ceased.

Sexual and gender-based violence (SGBV) remains an issue for refugees, especially in areas where the rule of law has degraded and protectors are away in detention facilities or at work. As de Bruijn states, “Sometimes their economic need pushes them to survival sex, and reportedly even the camp management and administration processes on which they depend for safety and security may be at the core of sexual abuse. Other countries report similar situations with regard to SGBV, particularly related to domestic violence, forced marriage, sexual exploitation and harassment, attempted rape and rape, and other forms of violence.”¹¹⁰ UNHCR has programs to aid in gender equality and empowerment, requiring camp management and food distribution committees to maintain at least 50% female representation.¹¹¹ However, cultural norms may not nurture female empowerment, which may lead to increased tensions between refugees as well as strained relationships between the refugees and aid organizations.

Malnutrition remains a serious issue in refugee camps around the world, especially where host governments restrict refugees to camps and prohibit farming. Refugees struggle to meet the basic calorie requirements, where “the average amount of kilocalories contained in the food basket provided to entitled persons over the period

¹⁰⁸de Bruijn, “The Living Conditions and Well Being of Refugees,” 10–11.

¹⁰⁹Ibid., 12.

¹¹⁰Ibid., 17.

¹¹¹Ibid., 16.

2005–2006 fell short of the standard [≥ 2100 kCal] in four of six countries.”¹¹² Compounding the problem, refugees may be forced to trade their limited food rations for other goods they may not be receiving. Eating limited calories has the second-order effects of serious health problems, especially for mothers and infants. While refugees in rural camps may have the opportunity to raise animals and farm the land for food, urban-setting refugees without that prospect may be forced to cope by “taking children out of school to work, engaging in transactional sex, and selling household goods.”¹¹³

Access to clean water and camp sanitation have direct outcomes for life and health. The UNHCR standard per person for clean water is greater than or equal to 20 liters per day, to provide for drinking, cooking, cleaning, and agriculture needs.¹¹⁴ This standard is not always met, for example, “In the period 2004–2007, only in three out of 36 occasions camps reported the provision of the required 20 liters, and on ten occasions the daily supply was 12 liters or less. In terms of the access indicators of distance to the nearest water point [within 200 meters] and persons per water point [< 80], the situation in the country is even worse.”¹¹⁵ Seventy-five percent of camps in a 2003–2005 analysis of UNHCR Standards and Indicators can provide adequate latrines for refugees, with one latrine for two families or roughly 20 people, though issues with sanitation remain in certain camps.¹¹⁶

Healthcare concerns remain a priority for aid, especially in overcrowded camps, where “the major killers in refugee settings are, diarrheal diseases, acute respiratory infections, malnutrition, measles and malaria.”¹¹⁷ The UNHCR standard of one clinic for no more than 10,000 people has been difficult to attain in several camps around the world.¹¹⁸ The standard of healthcare quality at a refugee camp is defined relative to the

¹¹²de Bruijn, “The Living Conditions and Well Being of Refugees,” 18.

¹¹³*Ibid.*, 25.

¹¹⁴*Ibid.*, 26.

¹¹⁵*Ibid.*, 27.

¹¹⁶*Ibid.*, 29.

¹¹⁷*Ibid.*, 31.

¹¹⁸*Ibid.*, 31.

standards in the host country. If healthcare in the camp is superior to local services, resentment can fester with the host population and could possibly lead to an expansion of services to provide care for that population, further stretching the limited resources.¹¹⁹

Access to primary school education is important for ensuring child safety and providing self-reliance during and after the conflict. The UNHCR standard is 100% enrollment for children in primary grades 1–6, and a maximum student to teacher ratio of 40 to 1.¹²⁰ In de Bruijn’s research, “Of the 39 camps in the case-study countries, only 24 (62 percent) satisfied the standard [for number of teachers], which is, however, significantly more than the 19 percent that was found in a global evaluation of all camps with available statistics.”¹²¹ With significant gaps in education, children in protracted refugee situations may have few post-conflict opportunities for employment, which may increase the likelihood of recruitment into terrorist and other militant organizations.

Earning potential and economic independence may prove difficult for refugees in protracted situations. If they are prohibited from leaving the camp and joining the local economy, refugees become “largely dependent on humanitarian aid as main survival strategy, in turn sometimes invoking a culture of dependency and undermining their capability for sustainable livelihoods either in the country of asylum or upon repatriation.”¹²² Finding gainful employment may not be legal in certain refugee camps, resulting in “selling off vital assets such as domestic items, clothes and blankets or part of the food rations, or reducing food intake and negotiating loans that cannot be repaid.”¹²³ Lack of employment and economic despair may be the catalyst for terrorist recruitment as a means of survival, leaving few options for fighting-age refugees to provide for basic needs.

¹¹⁹de Bruijn, “The Living Conditions and Well Being of Refugees,” 35.

¹²⁰Ibid., 38.

¹²¹Ibid., 40.

¹²²Ibid., 43.

¹²³Ibid., 45.

C. POSSIBLE SOLUTION: AID FROM A DISTANCE

In areas relatively insulated from massive refugee flows, such as the United States, it becomes easier for governments to turn a blind eye and conduct financial assistance at arm's length. Western governments may prefer to create safe zones within the war-torn country to host refugees under care provided through organizations such as UNHCR with specific protections for the inhabitants provided through a coalition of military forces and the enforcement of possible no fly zones. In this manner, the safest and easiest method to help while keeping refugees outside of one's own country's borders, to address potential security concerns, would be to increase foreign aid and decrease refugee resettlement in the homeland. The safe zone method may also artificially reduce the number of refugees by restricting the legal requirement for a refugee to cross a border to physically flee the country of danger. As addressed in the 1951 UN Convention Relating to the Status of Refugees, the person must be "outside the country of his nationality" to obtain legal refugee status.¹²⁴ In this manner, the population would merely be displaced within their own borders, not legally afforded the same privileges as a refugee that has crossed into a country of first asylum. On the surface, reducing the number of refugees may seem like a temporary cure for the crisis, however, this method creates additional requirements for military intervention to enforce the area and strips the refugees of internationally afforded benefits.

Additionally, Jennifer Hyndman addresses the human aspect of refugees, and the inadequate response of refugee organizations and western governments to properly care for them. She explains that "refugees trade the entitlements of citizenship in their own country for safety on terms decided by international legal instruments, host governments, and humanitarian agencies."¹²⁵ She describes the subhuman view of refugees considered a burden to donor governments, and the desire to keep the refugees as far from the donor country as possible to help in an area closer to the refugee's homeland.¹²⁶ If refugees are

¹²⁴UN General Assembly, Draft Convention Relating to the Status of Refugees, 14 December 1950, A/RES/429, Article I A(2).

¹²⁵Hyndman, *Managing Displacement*, 2.

¹²⁶*Ibid.*

prevented from leaving their homeland and kept within their native political borders, they are considered internally displaced persons instead of refugees, which places restrictions on their international rights.¹²⁷

Forcibly containing the displaced persons within their own borders in a designated safe zone not only strips them of legal refugee status and the associated privileges, it also restricts their rights of freedom of movement within, and to exit the territory. As Article 13 of the United Nations' Universal Declaration of Human Rights states: "(1) Everyone has the right to freedom of movement and residence within the borders of each state. (2) Everyone has the right to leave any country, including his own, and to return to his country."¹²⁸ The refugees may choose to stay in a designated "safe zone," though their ability to remain productive and add to the economic growth of the area will remain severely limited, and they may choose to seek asylum in a safer area outside of the conflict area. As Kathleen Newland from the Migration Policy Institute states, "Refugees integrate most successfully when there is a compact between government and civil society to foster social inclusion and create ties between refugees and the people and institutions of their new communities. When those ties are lacking, fear and antagonism can grow. When they are strong, refugees can contribute to the creation of vibrant communities."¹²⁹

D. RIGHT TO EXCLUDE?

Independent of binding international agreements and precedent, some argue that a sovereign state has the right to exclude whomever it wishes based on their own self-interest. Christopher Wellman describes "three core premises: (1) legitimate states are entitled to political self-determination, (2) freedom of association is an integral component of self-determination, and (3) freedom of association entitles one to not

¹²⁷Hyndman, *Managing Displacement*, 5.

¹²⁸United Nations, Universal Declaration of Human Rights, General Assembly Resolution 217 A, Article 13, December 10, 1948, <http://www.un.org/en/universal-declaration-human-rights/>.

¹²⁹Kathleen Newland, "New Approaches to Refugee Crises in the 21st Century: The Role of the International Community," Washington, DC: Migration Policy Institute, October 2016, <http://www.migrationpolicy.org/research/new-approaches-refugee-crises-21st-century-role-international-community>.

associate with others.”¹³⁰ His argument stresses how “freedom of association entitles one to refuse to associate with others, [therefore,] legitimate political states may permissibly refuse to associate with any and all potential immigrants who would like to enter their political communities.”¹³¹ Wellman does not argue that states *should* aggressively exclude others through their borders, but merely explains why they have a right to do so.¹³² His debate later goes on to present cases for open borders based on Egalitarian, Libertarian, Democratic, and Utilitarian grounds, followed by a section specifically on Refugees.

Wellman’s argument can be grounded in the liberal nationalist approach of restricting immigration or refugees to preserve a “distinctive cultural identity.”¹³³ He cites David Miller’s view that:

People (understandably) care a great deal about the stability of the cultural context in which they live, it is also that liberal democratic regimes typically function best when there is sufficient trust and fellow-feeling among their compatriots. This trust and mutual identification is essential because, without it, citizens would be unwilling to make the sacrifices necessary to sustain a robust and equitable democratic welfare state. And finally, Miller contends that this trust and fellow feeling cannot be counted on in all circumstances; it generally emerges and endures only when there is sufficient cultural homogeneity.¹³⁴

This argument toward a uniform cultural identity may hold in countries that are culturally homogeneous, however, in a nation as diverse as the United States, with a rich fabric of international influence, cultural homogeneity does not exist.

Philip Cole argues the principle of ethical universalism against the right to exclude, defining it as: “a principle of the moral equality of persons, a principle that all persons have equal moral value, so that moral principles apply to all equally in the

¹³⁰Christopher Heath Wellman and Philip Cole, *Debating the Ethics of Immigration: Is There a Right to Exclude?* (New York: Oxford University Press, 2011), Accessed January 12, 2017, ProQuest: 800832, 13.

¹³¹*Ibid.*, 36–37.

¹³²*Ibid.*, 46.

¹³³*Ibid.*, 49.

¹³⁴*Ibid.*

absence of any morally relevant differences.”¹³⁵ In this sense, each citizen has absolute equal treatment from its government. Cole cites philosopher Onora O’neill on moral equality: “It seems to me that ... an adequate account of justice has to take seriously the often harsh realities of exclusion, whether from citizenship of all states or from citizenship in the more powerful and more prosperous states. Why should the boundaries of states be viewed as presuppositions of justice rather than as institutions whose justice must be assessed?”¹³⁶ The good fortune to be born into a country that is not torn apart by war should not preclude refugees from seeking a reasonable life within the boundaries of a safer and more prosperous country, especially when that country has set precedent in allowing refugees in the past.

E. MOVING FORWARD

How does the United States go about: 1) helping to resolve the refugee crisis, 2) respecting refugee rights, and 3) aiding in the humanitarian crisis? As Carl Kaysen states, “In crude summary, the international law of refugees says ‘let those people go’; ‘don’t send them back where they came from’; but it does *not* say ‘take those people in.’”¹³⁷ The United States leads the world in three distinct areas: military strength, wealth, and adherence to and promotion of moral ideals.¹³⁸ The U.S. has conducted military strikes in Syria and clearly opposes the Assad regime. The U.S. is also the largest financial donor to the UNHCR, giving \$4.5 billion in humanitarian aid since the start of the Syrian crisis.¹³⁹ The lacking element, therefore, is the adherence to the understood moral ideals. While 41% of American registered voters support the resettlement of Syrian refugees within the U.S., 54% of voters do not believe the U.S. has a responsibility to accept

¹³⁵Wellman and Cole, *Debating the Ethics of Immigration*, 177.

¹³⁶*Ibid.*, 178.

¹³⁷Carl Kaysen, “Refugees: Concepts, Norms, Realities, and What the United States Can and Should Do,” in *Threatened Peoples, Threatened Borders: World Migration and U.S. Policy*, ed. Michael S. Teitelbaum and Myron Weiner, The American Assembly, Columbia University (New York: W.W. Norton, 1995), 246.

¹³⁸*Ibid.*, 252.

¹³⁹U.S. Department of State: Bureau of Population, Refugees, and Migration, “Proposed Refugee Admissions for 2016,” iii.

Syrian refugees.¹⁴⁰ Unverified claims of an ISIS threat within the Syrian refugee population, as well as from other states in the area, creates a largely partisan divide, driving policy away from resettlement consideration.

Many U.S. Senators, at the request of numerous religiously backed organizations, urged President Obama to increase the number of refugees accepted for resettlement, citing a moral obligation to assist the large numbers of refugees that the neighboring countries cannot support.¹⁴¹ President Obama responded by increasing the proposed number of resettled Syrian refugees to 10,000 for fiscal year 2016, ultimately committing to resettle 12,587.¹⁴² Citing concerns of terrorism and inadequate vetting, however, President Trump recently placed a 120-day moratorium on refugees, specifying: “Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.”¹⁴³

Many believe that President Trump’s moratorium on immigration and refugees is in line with his campaign promise for the “total and complete shutdown of Muslims entering the United States until our country’s representatives can figure out what is going on.”¹⁴⁴ The United Nations New York Declaration for Refugees and Migrants, however, “strongly condemn[s] acts and manifestations of racism, racial discrimination,

¹⁴⁰Jens Manuel Krogstad and Jynnah Radford, “Key Facts About Refugees to the U.S.,” Pew Research Center, January 30, 2017, <http://www.pewresearch.org/fact-tank/2017/01/30/key-facts-about-refugees-to-the-u-s/>.

¹⁴¹Durbin and Klobuchar, “Letter to the President.”

¹⁴² U.S. Department of State: Bureau of Population, Refugees, and Migration, “Proposed Refugee Admissions for 2016,” iii-iv; Phillip Connor, “U.S. Admits Record Number of Muslim Refugees in 2016,” Pew Research Center, October 5, 2016, <http://www.pewresearch.org/fact-tank/2016/10/05/u-s-admits-record-number-of-muslim-refugees-in-2016/>.

¹⁴³Donald J. Trump, “Executive Order Protecting the Nation from Foreign Terrorist Entry into the United States,” Sec 5(c), January 27, 2017, <https://www.whitehouse.gov/the-press-office/2017/01/27/executive-order-protecting-nation-foreign-terrorist-entry-united-states>.

¹⁴⁴Russell Berman, “Donald Trump’s Call to Ban Muslim Immigrants,” *The Atlantic*, December 7, 2015, <http://www.theatlantic.com/politics/archive/2015/12/donald-trumps-call-to-ban-muslim-immigrants/419298/>.

xenophobia and related intolerance against refugees and migrants, and the stereotypes often applied to them, including on the basis of religion or belief.”¹⁴⁵ Former President Obama’s response to then candidate Trump, was in line with the United Nations’ position, stating: “It is our responsibility to reject religious tests on who we admit into this country... It’s our responsibility to reject proposals that Muslim Americans should somehow be treated differently. Because when we travel down that road, we lose.”¹⁴⁶ The decision to resettle Muslim refugees, especially Syrians, may be rooted in partisan positions which will be discussed in the next chapter.

Human Rights First advocates for the protection of refugees and a renewal of efforts toward setting an example for our allied partners in the care and resettlement of refugees. They argue that the U.S. system of refugee admissions and treatment of asylum seekers is unnecessarily difficult. The organization provides five key recommendations for the return to the spirit and intent of the bipartisan Refugee Act of 1980; “(1) provide safeguards against unnecessary and inappropriate detention; (2) restore access to asylum and protection; (3) ensure a fair and effective adjudication system for asylum cases; (4) improve the resettlement system to better protect the rights of refugees; and (5) promote improved oversight and inter-agency coordination on asylum and refugee matters.”¹⁴⁷ Insuring that refugee and asylum seeker processing is conducted in a respectable and impartial manner will permit deserving claimants reasonable entry into the United States.

F. CONCLUSION

As the discussed research has illustrated, creating protracted refugee situations in overcrowded camps where the refugees have little or no mobility within the host state or productivity within the local economy will only serve to increase the propensity for discontent and the likelihood that these refugees will become attracted to terrorist organizations. Committing only aid money without the possibility of resettlement into successful economies is a narrow-minded and imprudent method of providing refugee

¹⁴⁵United Nations General Assembly, “New York Declaration for Refugees and Migrants,” A/71/L.1, September 13, 2016, 3.

¹⁴⁶Berman, “Donald Trump’s Call to Ban Muslim Immigrants.”

¹⁴⁷Human Rights First, “Renewing U.S. Commitment to Refugee Protection.”

care. Slamming the door on refugees that look to successful Western governments for salvation will only reinforce beliefs that the West regards them as disposable and increase the numbers of terrorist-allegiant fighters that will seek to do harm.

Even Wellman, who presented the case for the right to exclude based on a state's self-interest, stated: "I suspect that many of the world's current policies are more the result of unprincipled politicians' exploiting the xenophobia of their constituents for short-term political gain than of well-reasoned assessments of what will be to the long-term advantage."¹⁴⁸ A nation such as the United States, with established precedent as benevolent protector of the downtrodden has the responsibility to allow immigrants and refugees to join the fabric of American society and thrive, benefitting not only the refugees, but the enrichment of society and the economy as a whole.

¹⁴⁸Wellman and Cole, *Debating the Ethics of Immigration*, 47.

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IV. TERRORISM AND SECURITY CONCERNS

Refugees are often portrayed as a security threat by some, especially refugees from areas where terrorist organizations are known to operate. The assumed threat with Syrian refugees is their possible direct or indirect ties to terrorist organizations such as the Islamic State. Iraq, Pakistan, Afghanistan, Nigeria, and Syria experienced 57% of all global terrorist attacks in 2014.¹⁴⁹ Several other dangerous groups in addition to the Islamic State are a threat in Syria, such as the Al-Nusrah Front and the Ansar al-Din Front.¹⁵⁰ Though terrorism occurs for many causes outside those of radical Islam, much of the focus in the modern American understanding of terrorism stems from the 9/11 attacks, Al Qaeda, and the Islamic State. This chapter will discuss terrorism, the possibility that refugees could pose a security threat, the security threats posed by refugee camps, and the policy debate between those that desire more extreme vetting and those that desire expanded refugee resettlement.

A. TERRORISM

Terrorism is explained by Paul Wilkinson as: “The systematic use of murder and destruction, and the threat of murder and destruction to terrorize individuals, groups, communities, or governments into conceding to the terrorists’ political demands.”¹⁵¹ He emphasizes that a liberal democratic government battling terrorists must adhere to the human rights and freedoms inherent in the democratic system, lest they overstep their authority and play into the hand of the terrorists.¹⁵² By overreacting to terrorist actions, governments are likely to give undue legitimacy to the terrorist group, and inadvertently advance their cause. He notes, “The government must show that its measures against terrorism are solely directed at quelling the terrorists and their collaborators and at

¹⁴⁹Anthony H. Cordesman and Max Markusen, “The Uncertain Trends and Metrics of Terrorism in 2016,” The Center for Strategic and International Studies, November 21, 2016, 47, https://csis-prod.s3.amazonaws.com/s3fs-public/publication/161129_Trends_Metrics_Terrorism_Updated.pdf.

¹⁵⁰*Ibid.*, 71.

¹⁵¹Paul Wilkinson, *Terrorism and the Liberal State*, 2nd ed (New York University Press: 1987), 51.

¹⁵²*Ibid.*, 126.

defending society against terrorist attack.”¹⁵³ For this reason, policymakers are advised to be wary of lumping all Muslims together as terrorists, when the true goal is to narrow the battle to bona fide terrorists. For example, immediately following the attacks of 9/11, President Bush did not blame Islam or the Arabs, instead saying “Our enemy is a radical network of terrorists and every government that supports them.”¹⁵⁴

The United States is no stranger to terrorist acts, though the shift of public focus to attacks based on Islamic extremism spiked following the attack on September 11, 2001. Christopher Hewitt evaluates the history of terrorism in America, addressing attacks with roots in radical Islam, as well as homegrown terrorists including: right wing extremists, revolutionary left wing movements, and other terror movements based in race relations or religion.¹⁵⁵ In Table 1, Hewitt’s figures are shown to demonstrate the percentages of incidents and fatalities attributed to each group between 1954 and 2000. Hewitt refers to *émigrés* when “a foreign victim is attacked within the United States by a foreign terrorist group, generally [involving] issues which lie outside American society and politics.”¹⁵⁶ In white racist/Rightist groups, Hewitt includes groups such as the Ku Klux Klan, “the Order (Silent Brotherhood), the White People’s Party, the Covenant, Sword, and Arm of the Lord, the National Socialist White People’s Party, and Posse Comitatus.”¹⁵⁷ For the revolutionary left, the groups generally profess Socialist or Communist ideologies and revolutionary methods for hostile reorganization of the state, though Hewitt specifically mentions the Weather Underground.¹⁵⁸ The movement of the revolutionary left posed the most serious threat to the U.S. in the 1960s, though it significantly declined with the fall of Communism in Eastern Europe in the 1980s.¹⁵⁹

¹⁵³Wilkinson, *Terrorism and the Liberal State*, 128.

¹⁵⁴Hewitt, *Understanding Terrorism in America*, 5.

¹⁵⁵*Ibid.*, 15.

¹⁵⁶*Ibid.*

¹⁵⁷*Ibid.*, 19.

¹⁵⁸*Ibid.*, 17.

¹⁵⁹Dale L. Watson, Federal Bureau of Investigation, Statement Before the Senate Select Committee on Intelligence, February 6, 2002, <https://archives.fbi.gov/archives/news/testimony/the-terrorist-threat-confronting-the-united-states>.

Contemporary leftist groups tend to be single-issue, focusing on environmental and animal rights concerns.

Table 1. U.S. Terrorist Incidents and Fatalities by Those Responsible, 1954–2000¹⁶⁰

<i>Type of Terrorism</i>	<i>Incidents</i>	<i>Fatalities</i>
Foreign		
Cuban <i>émigré</i>	5.2 %	1.5 %
Puerto Rican	11.9 %	4.3 %
Islamic	1.1 %	1.7 %
Other Foreign	2.1 %	4.1 %
Domestic Terrorism		
White racist/Rightist ^a	31.2 %	51.6 %
Revolutionary Left	21.2 %	2.0 %
Black Militants	14.7 %	25.0 %
Anti-Abortionist	6.2 %	0.9 %
Pro-Jewish	3.6 %	0.80%
<u>Other domestic/unknown</u>	<u>2.8 %</u>	<u>8.1 %</u>
Total	100 %	100 %
Total Number	3,228	661
^a Includes Oklahoma City Bombing (168 fatalities)		

Hewitt discusses extremism as a concept compared to the general social viewpoint toward the conventional political and social views at any given time.¹⁶¹ The cases in Table 1 represent the struggle of minorities with extreme viewpoints, using unspeakable violence as a means of achieving the widespread awareness for their chosen perspective. In the U.S. as well as abroad, terrorist groups generally represent an

¹⁶⁰Adapted from Hewitt, *Understanding Terrorism in America*, 15, Table 2.1.

¹⁶¹*Ibid.*, 20.

underrepresented or disenfranchised minority that desire a means to communicate their grievances to the public through violence.

Martha Crenshaw evaluates common themes in terrorist motivations as both behaviors of the state and the goals of the organizations for which the state is oppressing as preconditions for terrorism.¹⁶² Groups such as the Islamic State are able to gain attention because, “violence and bloodshed always excite human curiosity, and the theatricality, suspense, and threat of danger inherent in terrorism enhance its attention-getting qualities.”¹⁶³ Furthermore, “As the audience grows larger, more diverse, and more accustomed to terrorism, terrorists must go to extreme lengths to shock.”¹⁶⁴ Footage of IS’s brutal beheadings and burning their prisoners alive are understood to strike fear into their enemies and reinforced their reputation for absolute control. These attacks build confidence for their fighters and encourage recruitment by appealing to oft oppressed, scorned Western Muslims looking to advance what seems to be a meaningful cause.

Some researchers conclude that American citizens are more likely to commit terror acts than actors from outside organizations. In a 2014 thesis examining the link between types of citizenship and terrorism, Kyle Recker concluded: “Terrorism conducted by United States citizens, both native and naturalized, is the predominant form of terrorism in the United States.”¹⁶⁵ Additionally, in a report by the Institute for Homeland Security Solutions, Kevin Strom et. al advise homeland security officials to continue to pursue groups like Al Qaeda and associated movements (AQAM), but also to focus on homegrown groups, stating: “Less than half of U.S. terror plots examined had links to AQAM, and many non-AQAM plots, primarily those with white supremacist or anti-government/militia ties, rivaled AQAM plots in important ways.”¹⁶⁶ In their research, they conclude: “Although AQAM and AQAM inspired plots were responsible

¹⁶²Crenshaw, “The Causes of Terrorism,” 379–399.

¹⁶³Ibid., 386.

¹⁶⁴Ibid.

¹⁶⁵Recker, “Citizenship and Terrorism,” 47.

¹⁶⁶Strom et al., “Building on Clues,” 1.

for a plurality of attacks in our study (40 out of 86), white supremacist and militia/anti-government groups were also responsible for a significant number of attacks (20 and 12 plots, respectively),” for a representative total 32 of the 86 attacks.¹⁶⁷ This is not to diminish the threat of AQAM, but rather to illustrate the prevalence of other serious threats which are largely unrecognized by the American public and dominating headlines in policy decisions.

To focus on the threat of radical Islam and the fears of increased jihadist attacks on American soil, Daniel Byman details the rise of groups such as Al Qaeda and the Islamic State. Byman discusses jihadist fighters in the immediate regions of influence of the terror groups, and addresses the recruitment and radicalization of westerners to act in a “lone wolf” capacity in support for the cause.¹⁶⁸ He continues his analysis of the Islamic State, describing their end state goals and their particular threat to the American homeland security.¹⁶⁹

War-torn areas of the Middle East have been breeding grounds for terrorist movements from Afghanistan in the 1990s to modern Iraq and Syria. Militant organizations such as IS are able to carve out territory in otherwise loosely governed spaces to call their own, shielded by the sovereignty of the host state until they have amassed enough force to assert dominance, which poses a threat to international order and security.¹⁷⁰ Anne Marie Baylouny discusses the variables for the “generation of authority in areas of the Middle East unregulated by the state: the initial basis for claiming influence, the method of legitimation, and the services that popularly validate the claim to authority.”¹⁷¹ Means of gaining legitimacy for non-state actors such as IS

¹⁶⁷Strom et al., “Building on Clues,” 7.

¹⁶⁸Byman, *Al Qaeda, The Islamic State, and the Global Jihadist Movement*, 58.

¹⁶⁹*Ibid.*, 170–186.

¹⁷⁰Anne L. Clunan and Harold A. Trinkunas, “Conceptualizing Ungoverned Spaces: Territorial Statehood, Contested Authority, and Softened Sovereignty,” in *Ungoverned Spaces: Alternatives to State Authority in an Era of Softened Sovereignty*, (Stanford, CA: Stanford Security Studies, 2010), 26.

¹⁷¹Anne Marie Baylouny, “Authority Outside the State: Non-State Actors and New Institutions in the Middle East,” in *Ungoverned Spaces: Alternatives to State Authority in an Era of Softened Sovereignty*, eds Anne L. Clunan and Harold A. Trinkunas, (Stanford, CA: Stanford Security Studies, 2010), 137.

include: the uses of religion, violence, and shared identity.¹⁷² There have been no shortages in opportunities for militant groups to fulfill these requirements, establish dominance, and attack the host state and any rival factions.

The Islamic State was a spin-off of Al Qaeda, started by Abu Mus'ab al-Zarqawi and now led by Abu Bakr al-Baghdadi, seeking to hold territory and develop a state based on their version of Sunni Islam.¹⁷³ IS has grown in size and scope, unique from Al Qaeda in that it “coerces local populations while advertising to a global audience.”¹⁷⁴ Its caliphate vision encompasses all Muslims, seeing itself as “the only Sunni militant group capable of fighting the government of Iraq and the only authentic jihadi group in Syria and, indeed, the world.”¹⁷⁵ The group “believes the world order to be illegitimate and seeks to redraw today’s world map and create a global Islamic state, a caliphate, akin to that which predates the modern state system. Accordingly, the group is intent on pursuing the acquisition of additional territories beyond Iraq and Syria.”¹⁷⁶ They view Muslims that choose not to join their cause as apostates and infidels. The Islamic State adheres to a millenarian worldview, where their claimed caliphate is at the center of a grand, apocalyptic battle for Allah.¹⁷⁷ Syria lies at the heart of the conflict, as Muhammad’s prophesy directs true believers to gather and fight in Syria and Yemen.¹⁷⁸

Several attacks in Europe have occurred that have been attributed to IS operatives activated from within European society or imbedded within the relatively unchecked refugee population. On November 13, 2015, the Islamic State claimed responsibility for a series of suicide bombings and mass shooting attacks in Paris, killing 129 people, and

¹⁷²Baylouny, “Authority Outside the State,” 145–148.

¹⁷³Byman, *Al Qaeda, The Islamic State, and the Global Jihadist Movement*, 170.

¹⁷⁴United States Institute of Peace, “The Jihadi Threat: ISIS, Al Qaeda and Beyond,” December 12, 2016, 7, <https://www.usip.org/publications/2016/12/jihadi-threat-isis-al-qaeda-and-beyond>.

¹⁷⁵*Ibid.*, 11.

¹⁷⁶Muhammad al-'Ubaydi et al., “The Group That Calls Itself a State: Understanding the Evolution and Challenges of the Islamic State,” The Combating Terrorism Center at West Point, December 16, 2014, 18, <https://www.ctc.usma.edu/v2/wp-content/uploads/2014/12/CTC-The-Group-That-Calls-Itself-A-State-December20141.pdf>.

¹⁷⁷Byman, *Al Qaeda, The Islamic State, and the Global Jihadist Movement*, 171.

¹⁷⁸*Ibid.*, 172.

injuring another 352.¹⁷⁹ France had also been the target for a previous set of five terrorist attacks killing 12 people January 7 through 9 of 2015, with Al Qaeda of the Arabian Peninsula (AQAP) claiming responsibility, in response to satirical depictions of the prophet Mohammad by the magazine *Charlie Hebdo*.¹⁸⁰ Additionally, on March 22, 2016, attacks were conducted in Brussels, Belgium, with coordinated bombings at the Zaventem airport and Maalbeek metro station. The Islamic State claimed responsibility for these attacks, which killed 32 people and injured over 300.¹⁸¹ Belgium was a target of the Islamic State due to its participation in the bombing of IS forces in Syria. Belgium has become a source for recruiting jihadist forces to fight for the Islamic State in Syria and Iraq, as well as a hotbed for terrorist cells operating within its borders.¹⁸²

With IS-attributed attacks taking place in Europe, attacks inspired by IS in the United States must be examined to evaluate the viability of a homeland security threat. Despite massive geographic separation between the United States and the Middle East, the Islamic State has claimed responsibility for carrying out attacks on U.S. soil. Due to extensive recruiting by print and internet media, IS has succeeded in radicalizing Muslims already residing in America to carry out attacks on the homeland. Several terrorist attacks have occurred on U.S. soil since the formation of the Islamic State, but the attacks specifically claimed by the IS include the May 3, 2015, Curtis Culwell Center shooting in Garland, TX, and the June 12, 2016, Orlando, FL, night club shooting.¹⁸³ The December 2, 2015, mass shooting in San Bernardino, CA, is undergoing investigation, but speculated to be linked to the Islamic State. Other attacks motivated by radical Islam

¹⁷⁹Sybille de la Hamaide, "Timeline of Paris Attacks According to Public Prosecutor," *Reuters*, November 14, 2015, <http://www.reuters.com/article/us-france-shooting-timeline-idUSKCN0T31BS20151114>.

¹⁸⁰Catherine E. Shoichet and Josh Levs, "Al Qaeda Branch Claims Charlie Hebdo Attack Was Years in the Making," *Cable News Network*, January 21, 2015, <http://edition.cnn.com/2015/01/14/europe/charlie-hebdo-france-attacks/>.

¹⁸¹Sheldon Chad, Christina Boyle and Corina Knoll, "Hunt is On for Brussels Bombings Suspect; Islamic State Warns of More, Worse Attacks," *The Los Angeles Times*, March 23, 2016, <http://www.latimes.com/world/europe/la-fg-brussels-airport-explosion-20160322-story.html>.

¹⁸²Matthew Dalton and Margaret Coker, "How Belgium Became a Jihadist-Recruiting Hub," *The Wall Street Journal*, September 28, 2014, <http://www.wsj.com/articles/how-belgium-became-a-jihadist-recruiting-hub-1411958283>.

¹⁸³Terror Alert, "Full List of ISIS Attacks in US."

but not directly tied to the Islamic State have occurred on U.S. soil, furthering American Islamophobia and driving citizens to criticize the acceptance of refugees from areas occupied by the Islamic State.

In a study by the Center on National Security at Fordham Law, 59 people were identified as supporting IS in the U.S. between March 2014 and June 22, 2015, with 3 suspects being killed by police while attempting to conduct an attack, and 56 charged in U.S. federal court.¹⁸⁴ Most of the cases involved individuals traveling to Iraq and Syria as foreign fighters, though 17 were involved in domestic plots.¹⁸⁵ From their study, 81% were U.S. citizens, and “belong to a wide swath of ethnic backgrounds, including African, African American, Caucasian, Central Asian, Eastern European, and South Asian. Few are of Middle Eastern Arab descent.”¹⁸⁶ The motivations of these individuals to support IS include: “resentment over U.S. foreign policy and personal alienation from U.S. society,” “pride in ISIS’s conquests abroad,” and “frustration with being ‘caged’ inside the United States.”¹⁸⁷ Of the 17 domestic plotters, 14 were U.S. citizens, 1 was Yemeni, 1 was Sudanese, and 1 was Saudi Arabian.¹⁸⁸

B. ARE REFUGEES A SECURITY THREAT?

The security fears of refugee acceptance are predicated on the notion that refugees may support or engage in terrorism, and that the information available for background checks are insufficient to properly vet candidates for resettlement into the United States. The conduct of terrorist attacks in Europe as well as in America with direct and indirect links to the Islamic State have fueled fears that the resettling of Syrian refugees onto American soil will present a vulnerability in security that can easily be penetrated by Islamic State operatives. As discussed in previous chapters, the refugees are fleeing their

¹⁸⁴Center on National Security at Fordham Law, “By the Numbers: ISIS Cases in the United States,” June 25, 2015, 1–3, <https://static1.squarespace.com/static/55dc76f7e4b013c872183fea/t/56b3aae8f8baf3bfd460ecb5/1454615277175/ISIS+Cases+in+the+U.S.+June+2015.pdf>.

¹⁸⁵*Ibid.*, 1.

¹⁸⁶*Ibid.*

¹⁸⁷*Ibid.*, 2.

¹⁸⁸*Ibid.*, 5.

homelands *because* of the attacks on them by terrorist groups as well as the Assad regime. Islamic State-affiliated operatives may have been able to embed within the refugee population fleeing Syria and gained access to Europe through porous borders. Without the thorough security checkpoints and screening process employed by USCIS, European countries have experienced increased vulnerability to attacks attributed to IS. Cases of European migrant-related terrorism will be evaluated against reports of benign U.S. resettled refugees.

The bipartisan Homeland Security Committee (HSC) addresses terrorist operatives gaining access to major European cities by the flows of refugees from war-torn Middle Eastern countries, providing a greater ease in infiltrating security measures that had not previously been available.¹⁸⁹ The Committee cites that Islamic State jihadists are aware of the relaxed travel restrictions in Europe, and published an e-book to its fighters describing the ease of travel through the continent.¹⁹⁰ The preliminary findings of the HSC show that “at least one terrorist responsible for the Paris attacks is suspected of having entered Europe through refugee flows,” and “In the days leading up to the Paris attacks, officials in Europe warned that ISIS was deliberately targeting these routes.”¹⁹¹ Additionally, they note, “An international terrorism research organization published a bulletin in September warning that there were already a number of reported cases of ISIS infiltration of refugee routes.”¹⁹²

German reports cite that the Islamic State has been infiltrating refugee routes through investigations of 10 cases where IS operatives were posing as Syrian refugees.¹⁹³ Reports from other European countries’ security agencies state they had discovered individuals with ties to IS at an attempted border crossing.¹⁹⁴ A USCIS official and

¹⁸⁹Homeland Security Committee, “Syrian Refugee Flows,” 3. (The Homeland Security Committee is comprised of 18 Republican and 12 Democrat members of Congress, identified at https://homeland.house.gov/full_committee/.)

¹⁹⁰*Ibid.*, 6.

¹⁹¹*Ibid.*, 2.

¹⁹²*Ibid.*, 3.

¹⁹³*Ibid.*

¹⁹⁴*Ibid.*

several senior FBI officials have expressed concern to HSC about the lack of official records from areas of conflict to be used in the vetting process.¹⁹⁵ IS operatives have been able to more easily access Europe due to closer geographical distance and sheer volume of migrants crossing borders, and the Islamic State's claims on inspiring attacks in Europe are more plausible due to the access.

In response to these attacks, European Union (EU) ministers recognized the faults in allowing nearly unrestricted travel between EU countries following the Schengen rules, and aim to increase security at border crossings to stem the flow of terrorist travel.¹⁹⁶ The Schengen agreement has been in effect and has permitted the flow of citizens throughout most of Europe since 1985, permitting travel between European countries as easy as driving between states in America. Security background checks were not completed and information was not shared between responsible agencies, leading to a lack of intelligence about the arrival of the operatives and the dissemination of pertinent information to other agencies. The European systems of verification are not as thorough as the system currently in place in the U.S., and many of the migrants in Europe have not officially filed as refugees. The European commission is proposing to create a joint intelligence service of EU countries to fill the void in intelligence, but the larger hegemonic powers are reluctant to share their operational secrets and intelligence methods with less-abled partners.¹⁹⁷

Most of these refugees have been entering the European Union countries through Greece, which has been reluctant to receive help from neighboring countries, and has been failing to complete the necessary security steps and biometric data collection necessary for halting the flow of terrorist operatives into western societies.¹⁹⁸ The European Union has dedicated \$541 million for correcting the border control and refugee management shortfalls in Greece, though most of the funds were not transferred due to a

¹⁹⁵Homeland Security Committee, "Syrian Refugee Flows," 4.

¹⁹⁶Ian Traynor, "EU Ministers Order Tighter Border Checks in Response to Paris Attacks," *The Guardian*, November 20, 2015, <http://www.theguardian.com/world/2015/nov/20/eu-ministers-order-tighter-border-checks-in-response-to-paris-attacks>.

¹⁹⁷*Ibid.*

¹⁹⁸*Ibid.*

lack of extensive strategic planning on behalf of the Greeks, and resulted in emergency assistance from UNHCR.¹⁹⁹ Some European countries are frustrated with the lack of security checks completed by their counterparts. According to a refugee in Germany, “any ISIS terrorist could have entered Italy and traveled further into Europe without any problem. ISIS members can take their guns and hand grenades with them, because the Italians never even checked any of the luggage.”²⁰⁰ The issue concerning the ease of travel with the Schengen rules is the relative ease of travel to the United States from European countries, and the American security concerns that result if the members have not been properly examined by European authorities before boarding transportation from the continent.

The United Nations Security Council Resolution 2178 of 2014 addresses the international movement of terrorist fighters and the necessary safeguards to ensure that the refugee flows are not penetrated by terrorist organizations.²⁰¹ The resolution calls for a redoubling of efforts by member states regarding terrorism, largely in relation to seeking out terrorists and supporters, preventing their travel and disrupting support networks. Recognizing the expansion in numbers of European fighters to fight on behalf of the Islamic State in Syria as well as the growing desire to support the Islamic State by other means, the Resolution seeks to further discourage the support of terrorist organizations and to empower representative governments to combat terrorism. Strengthening European controls on the migrant population will provide greater security, but hold no direct bearing on the access of terrorist members through the U.S. refugee program, which continues to maintain separate and vigorous vetting standards.

In support of the belief that U.S. refugee security measures should be stronger, Seth Jones of the RAND Corporation testified to the House Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, regarding the different

¹⁹⁹Daniel Howden and Apostalis Fotiadis, “Where Did the Money Go? How Greece Fumbled the Refugee Crisis,” *The Guardian*, March 9, 2017, <https://www.theguardian.com/world/2017/mar/09/how-greece-fumbled-refugee-crisis>.

²⁰⁰United States House of Representatives, Committee on Homeland Security, *Admitting Syrian Refugees*, 23.

²⁰¹United Nations Security Council, Resolution 2178, September 24, 2014, http://www.un.org/en/sc/ctc/docs/2015/SCR%202178_2014_EN.pdf.

active terrorist groups and their direct and indirect threat to U.S. national security. He specifically mentions the relatively low threat of any terrorist attacks by refugees, citing specific examples of ten refugees that have been involved with charges of terrorism since 2009, though none of them successful attacks, and none of them Syrian.²⁰² He outlines several measures to expand the security measures in vetting Syrian refugees such as “additional background checks and other screening protocols,” “enhanced re-screening procedures,” and “improved data management,” though he does not delineate any specific means or methods to accomplish his recommendations.²⁰³

Separately, the CATO Institute’s Alex Nowrasteh conducted a risk analysis for terrorism and immigration. Examining the period between 1975 and 2015, he found that “the chance of an American perishing in a terrorist attack on U.S. soil that was committed by a foreigner over the 41-year period studied here is 1 in 3.6 million per year.”²⁰⁴ Additionally, “the chance of an American being murdered in a terrorist attack caused by a refugee is 1 in 3.64 *billion* per year while the chance of being murdered in an attack committed by an illegal immigrant is an astronomical 1 in 10.9 *billion* per year [italics in original text].”²⁰⁵ For context, the lifetime odds of being killed in a motor vehicle accident are 1 in 113, unintentional drowning death odds are 1 in 1,183, and 1 in 174,426 for death by lightning strike.²⁰⁶ To emphasize the point, an average American is nearly 21,000 **times** more likely to die in a lightning strike than from a refugee terrorist attack. Nowrasteh notes 20 refugees that perpetrated terrorist attacks since 1975 out of the 3,252,493 refugees admitted to the U.S. during that time.²⁰⁷ He examines further, that “Of the 20, only three were successful in their attacks, killing a total of three people... The three refugee terrorists were Cubans who committed their attacks in the 1970s and were admitted before the Refugee Act of 1980 created the modern rigorous refugee-

²⁰²Jones, “The Terrorism Threat to the United States,” 6–7.

²⁰³*Ibid.*, 7.

²⁰⁴Nowrasteh, “Terrorism and Immigration: A Risk Analysis,” 1.

²⁰⁵*Ibid.*

²⁰⁶National Safety Council, “What Are the Odds of Dying From...,” 2017, <http://www.nsc.org/learn/safety-knowledge/Pages/injury-facts-chart.aspx>.

²⁰⁷Nowrasteh, “Terrorism and Immigration: A Risk Analysis,” 13.

screening procedures currently in place.”²⁰⁸ In 2011, the FBI arrested and convicted two resettled Iraqi citizens in Bowling Green, Kentucky, Waad Ramadan Alwan and Mohanad Shareef Hammadi, for attempting to provide material support to terrorists in Iraq.²⁰⁹

C. THE DANGER OF REFUGEE CAMPS

Concerns with refugees remaining in camps within countries of first asylum include increased exposure to violent elements, becoming a target of attack due to the aid available within camps, and the possibility for recruitment into terrorist organizations while remaining in poor living conditions for extended periods of time. Refugees en masse within neighboring countries of first asylum pose a larger threat to the political system of host countries by drastically altering the demographics and political goods that must then be allocated for unexpectedly large numbers of evacuees. Large numbers of refugees consolidated just beyond hostile borders pose several potential consequences which may have second order consequences which are more dangerous to both refugees and the security of international spectator states. Issues of sovereignty violation for the offending state may also be a factor, limiting outside aid to refugees that have fled their home countries and sources of oppression.²¹⁰ Third party states may be able to morally discount the sovereignty principle, as state “legitimacy is understood in terms of satisfactorily protecting the rights of one’s constituents and respecting the rights of all others. And any state that persecutes its own citizens ... clearly does not adequately secure the human rights of its citizens and thus is manifestly not entitled to the normal sovereign rights that typically make humanitarian intervention in principle wrong.”²¹¹ The protection of human rights would supersede sovereignty in this example, establishing a moral imperative for external intervention.

²⁰⁸Nowrasteh, “Terrorism and Immigration: A Risk Analysis,” 13.

²⁰⁹United States Department of Justice, “Former Iraqi Terrorists Living in Kentucky Sentenced for Terrorist Activities,” January 29, 2013, <https://www.justice.gov/opa/pr/former-iraqi-terrorists-living-kentucky-sentenced-terrorist-activities>.

²¹⁰Wellman and Cole, *Debating the Ethics of Immigration*, 118.

²¹¹*Ibid.*, 121.

Loescher and Milner address the security concerns inherent in maintaining protracted refugee camps, calling attention to the greater propensity for regional instability and the recruitment of displaced persons into a life of crime or terrorism because of prolonged life in a refugee camp.²¹² Loescher and Milner cite additional “security concerns, such as arms trafficking, drug smuggling, trafficking in women and children, and the recruitment of child soldiers and mercenaries, [which] are known to occur in camps hosting protracted refugee situations.”²¹³ As refugees remain in first asylum countries for longer periods of time, the host government is more likely to keep them isolated within camps to prevent local ethnic and political conflicts. As the refugees grow reliant on the camps, they become “wholly dependent on international assistance, [which] prevents them from pursuing economic self-reliance, and precludes them from contributing to the development of their host communities and states.”²¹⁴ A possible solution, therefore, is for donor governments to assist in the repatriation, local integration, or resettlement of refugees to provide a lasting way of life outside of a refugee camp.²¹⁵ Resettling the refugees away from the harsh conditions of the camps can reduce the propensity for disillusioned, fighting-age refugees that may otherwise seek protection from terrorist organizations. Additionally, food and aid supplies provided to the camps may attract terrorist attacks on the refugee population due to the availability of scarce resources.²¹⁶

Risks of increased violent political action in the form of demonstrations or possible attraction into terrorist organizations may increase as fighting-age refugees are left waiting in refugee camps close to the conflict area. Jack Goldstone specifically stresses the link between violence and the ability of an absorbing society of first asylum

²¹²Loescher and Milner, “The Significance of Protracted Refugee Situations,” 8.

²¹³*Ibid.*

²¹⁴*Ibid.*, 11.

²¹⁵*Ibid.*, 18.

²¹⁶Seung-Whan Choi and Idean Salehyan, “No Good Deed Goes Unpunished: Refugees, Humanitarian Aid, and Terrorism,” *Conflict Management and Peace Science*, Vol 30, Issue 1, February 1, 2013, DOI: 10.1177/0738894212456951, 55.

to handle the large influx of displaced persons.²¹⁷ Certain factors stemming from mass migration may increase the likelihood for political violence due to the upset in the “balance between population change and the absorptive capacity of the [receiving] economy,” specifically, “rapid growth in the labor force relative to the growth of the economy, unequal population growth rates between different ethnic groups, ...migrations that change the local balance among major ethnic groups, [and] shifts in age distribution that create relatively large youth cohorts.”²¹⁸ This large number of disenfranchised youths then have a greater likelihood to become involved in political movements and violence due to a lack of adult family obligations and employment.²¹⁹ In relocating displaced youths through refugee resettlement programs, the “youth bulge” can be dispersed throughout a greater geographic area, reducing the risk of violent conflict between groups.²²⁰ Additionally, removing the youths from the area through resettlement programs reduces the risk of their involvement with criminal and terrorist organizations because of the new opportunities in a peaceful nation.

To make a financial argument against resettlement, Mark Krikorian, Executive Director at the Center for Immigration Studies, testified before Congress that the cost for settling one refugee in the United States is equal to the cost of supporting 12 refugees in their home region.²²¹ Mr. Krikorian argues that the most responsible use for American tax dollars allocated for refugee aid is to use those funds to help the most amount of people while maintaining the highest levels of national security.²²² As discussed, protracted refugee camps are far more dangerous for the refugees with regard to harsh living conditions and increased exposure to terrorist elements, and increase the likelihood that refugees will join terrorist groups as a method of survival. Increased access to a pool

²¹⁷Goldstone, “Demography, Environment, and Security: An Overview,” 52.

²¹⁸*Ibid.*, 40.

²¹⁹*Ibid.*, 47.

²²⁰*Ibid.*

²²¹United States House of Representatives, Committee on the Judiciary, *The Syrian Refugee Crisis and Its Impact on the Security of the U.S. Refugee Admissions Program*, Hearing Before the Subcommittee on Immigration and Border Security, United States House of Representatives, 114th Cong., 1st sess. (Washington, DC: GPO 114-48, 2015), 32.

²²²*Ibid.*

of potential terrorists then results in a wider regional and global security threat. Fiscal responsibility has its own set of constraints for lawmakers beyond the scope of this thesis, and is not used as the basis for grounding security conclusions for policy.

D. POLICY DEBATE

The perception of a lack of background information available to vet the refugees for entry remains a chief concern for admitting Syrian refugees into the United States. Although numerous methods are available to various agencies with respect to biometric data and interpersonal network connections, there is no Syrian government database of information available to obtain the data or security institutions similar to those in the United States. The two sides of the policy debate are: the push for greater vetting standards and a possible moratorium on refugees, and the allowance of more refugees based on the lack of credible refugee terrorist threat.

1. Argument to Restrict

According to Bollfrass, et al., “31 [state] governors and almost all the Republican presidential candidates oppose further refugee settlement in the United States.”²²³ To make the case for expanded vetting, FBI Assistant Director Michael Steinbach stated in a Hearing before the Senate Committee on Homeland Security and Governmental Affairs: “The concern in Syria is that we don’t have the systems in places on the ground to collect the information.... All of the data sets, the police, the intel services that normally you would go and seek that information [from], don’t exist.”²²⁴ Furthermore, the Assad regime has no interest in sharing any information that could possibly help the United States and European allies in resettling its population. Obtaining sufficient data to determine the appropriate security for the refugees remains a sticking point in the struggle to admit more legitimate refugees into the United States to support European counterparts.

²²³Alex Bollfrass, Andrew Shaver, and Yang-Yang Zhou, “Don’t Fear Refugees: Why They Pose Little Threat to National Security,” *Foreign Affairs*, Council on Foreign Relations, December 9, 2015, <https://www.foreignaffairs.com/articles/united-states/2015-12-09/dont-fear-refugees>.

²²⁴Homeland Security Committee, “Syrian Refugee Flows,” 4.

In response to the supposed threat of Islamic State operatives gaining entry through the refugee program, legislators have begun drafting additional measures to control refugee flow. A bill known as the “Stop Extremists Coming Under Refugee Entry Act” or the “SECURE Act,” championed by Senator Rand Paul (R-KY) is currently under review. This legislation calls for additional biometric data to be logged for refugees arriving in America, and calls for a temporary moratorium on refugees from 34 “high risk” countries, including Syria, until all the additional security measures have been enacted and a subsequent law is enacted to permit the lifting of the moratorium.²²⁵

To expand the current U.S. refugee screening process and involve personal accountability of major program directors, House Resolution 4038 was proposed in November of 2015. Under H.R. 4038, the “American Security Against Foreign Enemies Act of 2015” or the “American SAFE Act of 2015,” championed by Representatives McCaul (R-TX) and Hudson (R-NC), call for unanimous concurrence and a personal certification by the Secretary of Homeland Defense, the Director of the FBI, and the Director of National Intelligence before the candidate under review is admitted into the United States.²²⁶ In response, President Obama’s position to keep the refugee screening process in its current state, which provides the “most rigorous and thorough security screening of anyone admitted into the United States,” is outlined in his position to veto H.R. 4038’s measures to expand security measures to the refugee screening process.²²⁷

2. Argument to Expand

The debate of those arguing for the admission of more refugees is centered on the data that refugees are not to blame for the terrorist acts that have been committed in America. For example, Senator Tom Carper (D-DE), testified:

²²⁵ Stop Extremists Coming Under Refugee Entry Act, S. 2329, 114th Cong, 1st Sess, November 19, 2015, <https://www.gpo.gov/fdsys/pkg/BILLS-114s2329pcs/pdf/BILLS-114s2329pcs.pdf>.

²²⁶H.R. 4038, “American Security Against Foreign Enemies Act of 2015,” 114th Congress, November 19, 2015, <https://www.congress.gov/114/bills/hr4038/BILLS-114hr4038eh.pdf>.

²²⁷Executive Office of the President, “Statement of Administration Policy: H.R. 4038 – American SAFE Act of 2015,” November 18, 2015, https://www.whitehouse.gov/sites/default/files/omb/legislative/sap/114/saphr4038r_20151118.pdf.

We could shut down all travel and immigration to this country and still not be safe from terrorist threats. That's because—as Peter Bergen testified in November—“every person who's been killed by a jihadi terrorists in this country since 9/11 has been killed by an American citizen or resident.” The people who carried out these attacks weren't foreign students, tourists or refugees. They were American citizens or legal residents. And in many cases, they had spent much of their lives in the United States.²²⁸

Senator Carper's testimony echoes the data presented earlier that terrorist acts are mainly conducted by American citizens. Refugees have not presented a credible terrorist threat on par with plots and attacks conducted by native and naturalized U.S. citizens.

Refugees may help provide intelligence information to U.S. security agencies once resettled in America, filling a critical gap in first-hand knowledge. As Patrick Eddington, a policy analyst and former CIA Officer, noted: “Welcoming and working alongside these refugees would provide Western governments with exactly the kind of information they are seeking: the names, photographs, and other personally identifying information on ISIS militants who attacked them and drove them from their homes.”²²⁹ What better way to gather the necessary intelligence to fill the asserted intelligence gaps than first-hand knowledge from the very people IS attacked? Instead of treating refugees as potential threats, they could be valuable assets in the fight against actual terrorists. Of course, providing information and helping U.S. intelligence agencies would require the refugees to be treated like welcomed members of American society rather than outcast second-class citizens and potential threats. Furthermore, “If these communities perceive discrimination from their hosts, radical Islamic ideology may find a receptive audience, particularly among second- and third-generation children of refugees.”²³⁰

Islamic State operatives have far greater access to potential supporters through internet recruitment than through refugees. Of the 28 IS cases in the U.S. between 2014–

²²⁸Tom Carper, “Protecting America from the Threat of ISIS,” Statement to the U.S. Senate Committee on Homeland Security and Governmental Affairs, May 26, 2016, <https://www.hsgac.senate.gov/media/minority-media/statement-of-ranking-member-tom-carper-protecting-america-from-the-threat-of-isis>.

²²⁹Patrick G. Eddington, “Refugee Resettlement: The Smart Way to Defeat ISIS,” The CATO Institute, November 23, 2015, <https://www.cato.org/publications/commentary/refugee-resettlement-smart-way-defeat-isis>.

²³⁰Bollfrass, Shaver, and Zhou, “Don't Fear Refugees.”

2016, each attack planned or carried out has been IS-inspired through the internet or other means of contact.²³¹ No attack has been carried out by an IS operative that has gained access through the refugee program. IS does not need the refugee program, as it is able to inspire legal residents of the U.S. to complete their attacks: “Few ISIS soldiers or other terrorists are going to spend at least three years in a refugee camp for a 0.042 percent chance of entering the United States when almost any other option to do so is easier, cheaper, and quicker.”²³² The Islamic State most likely recognizes the difficulty in penetrating the U.S. refugee program, and realistically, has no operational need to do so.

E. CONCLUSION

Evidence shows that the odds of a refugee-conducted terrorist attack in the United States are extremely low. The Islamic State has been able to accomplish its objective of conducting attacks in the U.S. by simply radicalizing American citizens already inside the borders. The depth and scope of the current screening process is sufficient in weeding out potential terrorists. IS could continue to use internet radicalization or use other options to enter the U.S. through alternate means of travel, and therefore has no need to risk capture in trying to infiltrate the refugee program. European countries have had their share of security issues stemming from the migration crisis but that is not the same as refugees applying for resettlement in the U.S. through USCIS and enduring the associated screenings. Entry through Europe remains a threat, but is not relevant to the case of terrorists *infiltrating the U.S. refugee program*. Arguments against refugee resettlement have no basis in factual accounts of attacks *by refugees*. Policymakers’ request of additional vetting measures and more rigorous processes with specificity into what is lacking from the process remains absent from any argument to suspend refugee resettlement.

²³¹Homeland Security Committee, “Terror Gone Viral: Overview of the 100+ ISIS-Linked Plots Against the West,” July 2016, 8–15, <https://homeland.house.gov/wp-content/uploads/2016/07/100-ISIS-Linked-Plots-Report-.pdf>.

²³²Alex Nowrasteh, “Syrian Refugees Don’t Pose a Serious Security Threat,” CATO at Liberty, (blog), November 18, 2015, <https://www.cato.org/blog/syrian-refugees-dont-pose-serious-security-threat>.

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V. CONCLUSION

This thesis addressed the question, “what are the security risks associated with accepting Syrian refugees into the United States, and how is this affecting U.S. refugee policy with respect to national security?” The slaughter of innocent civilians and the destruction of homes have caused millions of refugees to flee their homes in Syria into neighboring countries and Europe. The United States is faced with two choices:

1. The moral imperative of aiding in humanitarian relief via refugee resettlement, practicing Islamic inclusion and reducing the potential terrorist recruiting pool, or
2. Securing the borders against Syrian refugees based on a possibility that the Islamic State may infiltrate operatives through the vetting process and gain access to American soil.

To make the determination of which option to choose, one must examine the current methods of vetting, compare the humanitarian need to remove refugees from camps into a more permanent solution, and examine the actual threat of terrorists infiltrating the refugee program. If policymakers choose to accept more Syrian refugees, Islamic cultural inclusion in the United States will expand, removing the Islamic State’s ideological ammunition that the United States discriminates against Muslims. There is a slight possibility that operatives may infiltrate the program, though the evidence presented shows that is highly unlikely. The United States will curry favor with the international community because of increased humanitarian assistance, and greater numbers of needy Syrian families will have a new lease on life and a chance to contribute to the rich fabric of American society.

If policymakers choose to halt the acceptance of Syrian refugees, the Islamic State will not have the possibility to infiltrate operatives through the program. Ideological ammunition for IS will increase from an overt ban on Muslims entering the United States, possibly increasing the pool of terrorist operatives with disdain for the West. The Islamic State would continue to recruit U.S. citizens through the Internet or find alternative means to access American soil. With the comparison from the options presented, if admitting more refugees presents a greater security threat than would result from the

hazards of a protracted refugee camp, government officials can make the appropriate determination.

A. METHOD

Chapter II discussed the U.S. policy for resettling refugees and the vetting process that applicants must undergo for approval. The U.S. policy on refugee resettlement has a history starting from commitments made following World War II. International organizations and the UNHCR depend on wealthy and generous governments like the United States to provide financial aid and assist in refugee resettlement. Millions of refugees have been admitted into the United States spanning several conflicts, and continue to enrich American society through diverse experiences and cultures. The current process of vetting refugees, through available official documentation, biometric data, a network of multiple extensive databases, and lengthy and exhaustive interviewing, has shown to adequately determine the eligibility and security of applicants. Though no comprehensive Syrian government database exists for comparison, the vast national and international databases that are available to U.S. agencies provide ample information for USRAP and USCIS to use in determination. The interview process is lengthy and laborious, spanning several years and examining every aspect of a candidate's life and personal associations to root out any possible connections to nefarious organizations. Any hint of direct or indirect support to terrorist organizations is immediate cause for repetitive screenings or outright dismissal from consideration.

Chapter III examined the importance of refugee status, conditions in refugee camps, the limited benefit of aiding from a distance, if states have the right to exclude certain people from entry, and how to move forward in providing the appropriate aid. The importance of designation as a refugee was shown to demonstrate the differences in rights to those afforded refugee status, and how the loss of such designation can lead to a loss in aid and assistance. By detaining possible refugees within a "safe zone" in their own country's borders, governments not only restrict the UN-mandated human right of freedom of movement, but also strip the designation as a refugee and replace it with designation as an internally displaced person.

Conditions in refugee camps proved to be taxing for the refugees as well as for the institutions in the governments hosting the refugees. Sexual abuse, malnourishment, lack of education opportunities, and lack of economic earning potential compounded the post-traumatic stress of the conflict to create deplorable conditions for life. Helping the refugees in these situations by resettling them in other countries removes them from the threat environment and allows them to flourish in a safe environment and contribute to a diverse and productive society.

Chapter IV focused on terrorism, the possibility that refugees could pose a security threat, the security threats posed by refugee camps, and the policy debate between those that desire more extreme vetting and those that desire expanded refugee resettlement. Different terrorist groups that have conducted attacks in the United States were examined. The data shows that U.S. citizens, native and naturalized, have committed far more terrorist attacks than from abroad, with right-wing extremists representing a threat nearly equal to Al Qaeda. Support and attacks attributed to the Islamic State have all been through the recruitment and radicalization of American citizens rather than operatives gaining entry through the refugee program.

Protracted refugee situations were shown to be a target for militant organizations for two reasons: the availability of otherwise scant resources, and the presence of disillusioned fighting-age refugees who may be tempted to join terrorist organizations as a means of survival. To this end, merely providing financial aid to keep the refugees out of America and within the countries of first asylum only serves to increase the notion that America is at war with Islam, which becomes a self-fulfilling prophecy and serves to legitimize the radical ideologies of extremist groups.

The policy debate was presented to contrast those that wish to restrict refugee resettlement and those that wish to expand. To restrict the program, proponents cited the lack of official documentation from the Syrian government and the threats in Europe through mass migration and attacks. New measures were proposed which would require direct approval of refugees by heads of investigating organizations, but do not specify any new means for expanding security procedures. Officials wishing to expand the program cited the overwhelming evidence of terrorist attacks committed by American

citizens, and the benefit of refugees to aid in intelligence gathering against the Islamic State.

After reviewing the policy, vetting procedures, humanitarian considerations, and security concerns, this thesis concludes that it is highly implausible that terrorist operatives would use the U.S. refugee program as a means of entering the country. Considering the lengthy and rigorous vetting process and the likelihood of a refugee conducting a terrorist attack once through the approval and resettlement process, organizations like IS have far more means at their disposal to attack America than through the refugee program. Entering the U.S. via other means with forged documentation, smuggled by air, land, or boat, or merely using the internet to radicalize American citizens are far less dangerous and time-consuming for the organization. The Islamic State has claimed several attacks with devastating effect that did not subject the attackers to the level of scrutiny and security which are provided through the U.S. refugee admissions program.

B. RECOMMENDATIONS

This thesis concludes that policy makers have an interest in expanding the refugee admissions from terrorist-controlled areas such as Syria from both humanitarian and security standpoints. The dangers posed to refugees left waiting in camps only serve to increase the likelihood that new members would be recruited from their ranks, adding to regional and global security vulnerabilities. The security measures in use by refugee processing agencies are more than adequate to root out potential terrorists. The United States could benefit from the diversity in experience and culture provided by the incoming refugees, dispelling the belief that America is at war with Islam by welcoming those in need with open arms. The United States can lead the international community with increased humanitarian assistance, and allow greater numbers of needy Syrian families to have a new lease on life and a chance to succeed in American society.

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